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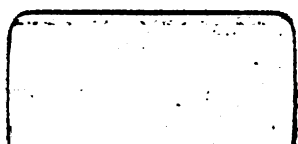
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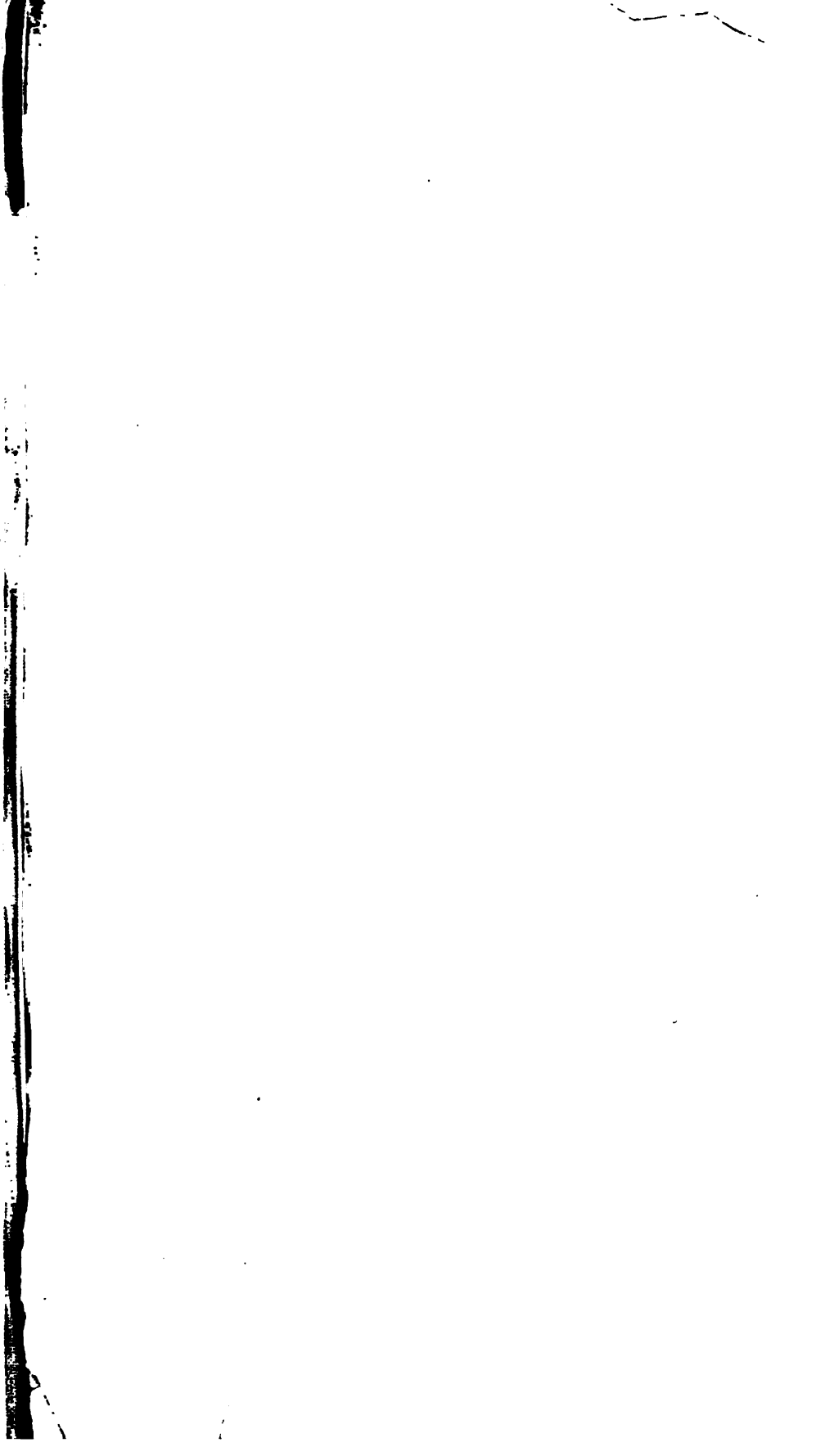
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LIFE

OF

ARTHUR LEE, LL. D.

JOINT COMMISSIONER OF THE UNITED STATES TO THE COURT OF
FRANCE, AND SOLE COMMISSIONER TO THE COURTS OF SPAIN
AND PRUSSIA, DURING THE REVOLUTIONARY WAR.

WITH HIS POLITICAL AND LITERARY CORRESPONDENCE AND HIS PAPERS
ON DIPLOMATIC AND POLITICAL SUBJECTS, AND THE AFFAIRS OF
THE UNITED STATES DURING THE SAME PERIOD.

BY RICHARD HENRY LEE,

A. M., H. A. M.

Author of the Life of RICHARD HENRY LEE.

IN TWO VOLUMES.

VOL. I.

Boston :

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DISTRICT OF MASSACHUSETTS, TO WIT:

District Clerk's Office.

BE IT REMEMBERED, that on the first day of September, A. D. 1830, in the fifty-fourth year of the Independence of the United States of America, Wells & Lilly, of the said District, have deposited in this Office the Title of a Book, the Right whereof they claim as Proprietors, in the words following, *to wit* :

"Life of Arthur Lee, LL. D. Joint Commissioner of the United States to the Court of France, and Sele Commissioner to the Courts of Spain and Prussia, during the Revolutionary War, with his Political and Literary Correspondence, and his Papers on Diplomatic and Political Subjects, and the Affairs of the United States, during the same Period. By Richard Henry Lee, A. M. H. A. M. Author of the Life of Richard Henry Lee."

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JNO. W. DAVIS,

Clerk of the District of Massachusetts.

DEDICATION.

TO JOHN QUINCY ADAMS.

SIR,

Permit me to dedicate to you the following Memoir of the Life of Arthur Lee.

Yoursel a patriot and a scholar, a statesman and a diplomatist, you will find the writings of Arthur Lee breathing a spirit of patriotism congenial with your own; possessing a vigour and an elegance of style *you* will feel and admire; while you will trace, in the history of his life, labours that *you* will know how to appreciate, and services similar to those which, *like him*, *you have rendered to our common country.*

Your fellow citizen,

RICHARD HENRY LEE.

Leesburg, Sept. 1828.

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PREFACE.

THE truest wealth of nations consists in the character and deeds of their great men. It is these, which impart to their histories more interest than any other subject which they present to our contemplation. The histories of the republics of ancient times, especially those of Greece and Rome, continue to this distant day to be read with intense interest. Who does not recognise the pleasure imparted to his mind, by an acquaintance with the characters and actions of their heroes? The mind delights to dwell on the characters of the "mighty dead," and glows with pleasure at the remotest allusion to any event, which recalls to the recollection, Solon and Socrates, Leonidas and Philopœmon, Decius and Cincinnatus, Cicero and Thræsea! The glory of the "nursing mother of the 4th Henry and the 12th Lewis, will henceforth burnish into brighter light, at the name of Lafayette." How proud is the Briton of his Newton and Locke, his Hampden and Chatham! How shall the consciousness of freedom and glory throb in the heart and glow on the cheek of an American, at the name of a revolutionary worthy! Distant nations exult in whatever approximates them to the fame, or characterizes them with a feature of the "country of Washington!"

Buchan. The well informed American will recognize this name. He will recognize it as the name of one of the earliest, warmest, and steadiest friends of the colonies, in their disputes with the mother country. This great man, so distinguished for his philanthropy, for his love of freedom and attachment to its assertors, it is well known, entertained the most generous wishes for the success of our republican systems of government, after the recognition of our independence by his nation. His letters, which the reader will find amongst the foreign correspondence of Mr. Lee, will certainly interest him. He will find that it had been the intention of the Earl of Buchan, to emigrate before the revolution, to Virginia, and reside permanently in that colony. Mr. Lee enjoyed the friendship and correspondence of this estimable man, until the period of the death of the earl.

Previously to Mr. Lee's return to his native country, he travelled through Holland and Germany. A short sketch of his journey through Holland remains, and contains a very pleasing account of the appearance of that country, of the manners and customs of its inhabitants; of the principal cities, and of the many monuments which adorn their public squares, erected by a wise people, to the memory of their great and useful men.

Soon after Mr. Lee returned to Virginia, he commenced the practice of physic, in the city of Williamsburg, at that time the metropolis of the colony. In this profession, he soon acquired reputation and practice. But, although he had found the study of medicine agreeable, the practice of it did not suit the peculiar bias of his mind, which inclined towards political subjects. The contest, which was soon to convulse an empire, was, even now, descried by many who were jealous of English liberty and rights. Mr. Lee's brothers, particularly his brother Richard Henry, were taking a part in the politics of the day, which had brought them into public notice, and evinced their decided purpose, to assert, through all dangers, the rights of their country. His ardent mind caught their enthusiasm. He determined to return to England; to fix himself in London, the centre of political inform-

ation, and there to aid, by his utmost exertions, the cause of American liberty. For this end, he purposed to commence in that city the study of the law, a profession, which, while it might enable him to support himself, would make him acquainted with international law, and the peculiar structure of the British constitution, as well as of the municipal laws of England, and thus fit him to take an intelligent and useful part in the great political questions which were to be so warmly discussed in that country and its colonies. That this course of his life and studies, enabled him to become a powerful advocate of the rights of his native country, and a wise negotiator in the management of its concerns with foreign nations in its hour of trial and need, the subsequent part of this Memoir will afford honourable and interesting evidence.

In pursuance of the determination which Mr. Lee had formed of going to London, he left Virginia about the year 1766, and settled in that city. He immediately commenced the study of the law, as a student of one of the inns of court. Although he applied his mind to this study, with his usual application and vigour, he did not neglect his literary and political pursuits. While he was a student in the temple, he became an intimate friend and associate of Mr. William Jones, (afterwards the justly celebrated Sir William), who was, at this time too, a student of law. They were fond of literature, and agreeably diversified their professional studies, with the varied reliefs afforded by literary lucubrations, and scientific investigation. Mr. Lee always considered his acquaintance with Sir William Jones, one of the happiest incidents of his life; and his correspondence, as a source of his greatest gratification. Their intimacy continued throughout their lives, as the reader will see from the correspondence of Mr. Lee with his foreign friends, in the appendix of this work. From one of Sir William's letters,* the reader will learn, that he had intended, on his return from India, to travel through the United States, whose rights he early acknowledged, whose struggle he

* See Appendix.

had beheld with anxious interest, and whose free institutions of government, he greatly admired. His principles, and his good will to the people of the United States, are every where evinced in the letters of this truly great and good man.*

Mr. Lee continued the study of the law from the year 1766, to the year 1770. He had, during this period, become extensively acquainted with the most eminent legal characters of London, among whom were Dunning, Glynn, and Alleyne. He was warmly and profitably patronized by Dunning and Glynn; and obtained and enjoyed a lucrative practice, from the year 1770, until

* The author could not deny himself the pleasure (in which he is sure of the cheerful participation of every reader) of inserting here the following, no less true, than beautiful tribute, to the character and genius of Sir William Jones, contained in a very fine prize poem of Mr. Charles Grant. This poem gained the prize given by Dr. Buchanan, to the best poem on the subject "of the restoration of learning in the east."

"Accomplished Jones! whose hand to every art,
 Could unknown charms and nameless grace impart.
 His was the soul by fear, nor interest swayed,
 The purest passions, and the wisest head—
 The heart so tender; and the wit so true,
 Yet this no malice, that no weakness knew.
 His song to virtue, as the muses dear,
 Though glowing, chaste; and lively, though severe.
 What gorgeous trophies crown his youthful bloom,
 The spoils august of Athens and of Rome.
 And lo! untouched by British brows before,
 Yet nobler triumphs wait on Asia's shore.
 There, at his magic voice, what wonders rise,
 The astonished east unfolds her mysteries—
 His are the triumphs of her ancient lyres,
 Her tragic sorrows, and her epic fires;
 Her earliest arts, and learning's sacred store,
 And strains sublime of philosophic lore;
 Bright in her view their gathered pomp appears,
 The treasured wisdom of a thousand years.
 Ah! could my verse, in characters of day,
 The living colours of thy mind pourtray,
 And on the sceptic, midst his impious dreams,
 Flash all the brightness of their mingled beams,
 Then should he know, how talents various, bright,
 With pure devotion's holy thoughts unite,
 And blush (if yet a blush survive) to see
 What genius, honour, virtue, ought to be!
 Philosopher, yet to no system tied,
 Patriot, yet friend to all the world beside,
 Ardent of temper, yet of judgment bold,
 Firm, though not stormy, and though correct, not cold;
 Profound to reason, and to charm us, gay,
Learned, without pride; yet not too wise to pray."

he left England in 1776, to reside in Paris, as secret agent of the old Congress. He had become during the same period, a conspicuous political writer. His fame as a writer was diffused through England, by a series of letters under the signature of Junius Americanus; and fame and popularity had been attracted to his name by a series signed "Monitor's Letters;" of both series, more will be said hereafter. His letters under the first signature, were published in England, and were chiefly intended for English readers. They procured the acquaintance and friendship of Burke, Dr. Price, Horn, Mrs. M'Cauley, Col. Barré, &c. &c.

While Mr. Lee was still a student of law, he was admitted into several literary clubs, and acquired in their associations, the respect and intimacy of many of the literati of London. He was at length elected a Fellow of the Royal Society. When he left England, to devote himself to the interests of his native country, he wrote a letter of resignation of his membership, to Sir Joseph Banks, then the president of the society, and assigns this reason, as the one inducing him to resign, that he did not think it consistent with his duty to his country, then at war with England, to continue his connexion with any institution of that nation, especially where the duties due to it, would require him to make pecuniary, as well as literary contributions to it. Sir Joseph's letter in reply to him, controverts the force of his reasons, by alleging the difference between *literary* and *scientific* societies, and *political* associations; that the objects and interests of the former were universal; belonging to the republic of letters, and to the community of man and mind, while the latter related to a particular people and to conflicting subjects. Mr. Lee's scruples may have been more fastidious than substantial; but still, they were really felt, from that intense devotion to his country, which he habituated his mind to cherish, while that country was contending with England for political freedom. The author has given above, the ideas which Sir Joseph intended to express. He has

not inserted his letter, because those ideas are conveyed in a dull and uninteresting style.

The author has in his possession, some sketches of Mr. Lee's legal arguments, which evince his acuteness and extensive learning, as a lawyer. He was employed with Glynn and Dunning in the case of the watermen of London, which excited great interest at the time, for the argument not only agitated the question of the existence of the privilege claimed by that class of people in London, exempting them, as inhabitants of that city, from the royal prerogative of impressing seamen, but it involved the constitutionality of the prerogative itself. The reader will, in another part of this Memoir, meet with a letter of Mr. Lee to Sir William Jones, who, afterwards, was retained in the same cause, in which Mr. Lee gives Sir William an outline of his argument. Mr. Jones thanks him for the aid it had afforded him, in the investigation of the subject. The author has the only accurate and full report ever made, of the famous case of Perrin & Blake, of the arguments, and of the opinions of the judges, in the King's Bench. This report was taken by Serjeant Glynn, and presented to Mr. Lee, by that great lawyer. Mr. Lee was also retained, to appear at the bar of the House of Commons, by the Directors of the East India Company, on an occasion of great interest to that body.

The reader well remembers the questions of constitutional controversy, which arose between the colonies and the mother country, during the period from 1764 to the year 1769, on the subject of taxation. The declaratory act and the stamp acts were the statutes asserting, and intended to enforce, the arbitrary principle so obnoxious to the people of the colonies, "that the legislature of Great Britain had a right to tax the people of the colonies, without their consent, given by representatives, chosen by themselves." Mr. Lee became a warm disputant in these controversies; and wrote ably and successfully against this principle. Of his writings on these subjects, then so intensely interesting to his countrymen, and so vitally important to their freedom and prosperity,

his "Monitor's Letters, addressed to the people of the colonies ; his letters signed "Junius Americanus," and "an Appeal to the English nation," were greatly admired, and extensively circulated and read, in Great Britain, and in the colonies. The cheap pamphlets, in which these pieces were collected and circulated, went through several editions. They were printed by several associations and public corporations in England. His Monitor's Letters have long been allowed to have had an effect upon the public mind, equal to that produced by the "Farmer's Letters," and Paine's "Common Sense." Such was the celebrity of his "Appeal to the English nation," that it was for a long time, attributed in England, to Lord Chatham. It is feigned to be written by an "Old Member of Parliament." These writings of Mr. Lee contain sound constitutional principles, applied by vigorous arguments, illustrated by learned and accurate researches into the history and laws of England and the colonies, and conveyed in a style cogent and classical. The Monitor's Letters were written for the especial perusal of the people of America ; and were intended to warn them of the *real* designs of the ministry, and the ruinous consequences of them, to the interests and rights of the colonies. The letters signed "Junius Americanus" were intended for the English public. Hence the reader will remark, they contain more of what may be termed English politics, than it would seem necessary to be mingled with the questions immediately bearing on the colonial controversy. Mr. Lee thus explains this seemingly inappropriate association of topics, in a letter to his brother R. H. Lee. "It is a chance, whether you ever meet with a series of letters signed Junius Americanus in which the *enemies of America* are chiefly attacked ; though to make what was written in *defence of the colonies acceptable*, it was necessary, now and then, to aim a stroke at characters *obnoxious here*. It is desirable, to make a signature *popular* ; when that is done, I shall be able to write under it with success, which, otherwise, it is extremely difficult to accomplish." The reader may form some idea of the style and spirit of

these letters, from one towards the conclusion of the series, addressed to Lord Chatham. It is here inserted.

LETTER TO LORD CHATHAM.

“My lord,—Permit an individual unknown, and undistinguished, to thank you, in the sincerity of his warmest gratitude, for your generous, though ineffectual attempt, *to stay the uplifted hand of civil desolation*. Your great name will not be delivered down to posterity with more applause, for having directed, with so much spirit and wisdom, the vengeance of this nation against its *real foes*; than for having endeavoured, with equal humanity and prudence, to divert it from its *truest friends*.

My lord, I can truly say, that in the heart of every American, the wish for the prosperity of England, is second only to that for the liberties of his own country. No proposition could be made to Americans, in which they would not most zealously contribute their treasure and blood to maintain the honour and advance the prosperity of England, if it did not involve a resignation of their dearest rights. Whatever may be their sense of the distresses of this country; whatever may be their wish to minister relief; when that cannot be done, without submitting their hands to chains, and their necks to the yoke, they must be forgiven for the refusal.

When a series of injuries have rendered the alternative, slavery and submission, bonds or resistance, I speak it with exultation, I speak it with assurance, there are not a thousand men, of the three millions spread abroad in America, who will hesitate one moment in the choice. Trust me, my lord, they will never be slaves. They will not dishonour their venerated English ancestry. To be enslaved, would stamp degeneracy and bastardism on their brows. Let the demon of distraction go forth when he may, he will find them *devota morti pectora libera*. Their struggles and their sufferings will, they hope at least, entitle them to the respect of their parent state. Their zeal and cause combined, will disarm the soldier of his fellest purpose. A sense of in-

justice will hang like a millstone about his neck, and unnerve his arm.

It has been my lord, for many years, my humble but honest task to warn, through the channel of the public papers, his majesty's ministers of the fatal consequences of their arbitrary measures. It is some time since I despaired of doing good. I have found them, not so much misled by ignorance, as inveterate in malice; not adopting desultory measures, but pursuing a premeditated, deep and dangerous plan against the liberties of the people. I was prompted to exert my poor endeavours, by the same equal regard for both countries, whose ruin is involved in this perilous issue; by the same ardent zeal and love of humanity and freedom, which moved your lordship, like a guardian angel, to intervene and endeavour to stop the most fatal conflict, that this eventful country ever felt.

My lord, I have but one more word. When the acts of this country respecting America are *just*, they will never be questioned; when they are *unjust*, *they will never be obeyed.*

JUNIUS AMERICANUS."

The author has collected many of the letters of Mr. Lee to his brothers, written from England, on the highly important subjects which so anxiously engaged the attention of the leading men in all the colonies, during the years 1767, 1768, 1769, 1770, 1771, &c. Of these letters, the author has elsewhere observed, that Mr. Lee's residence in London, and his intimate acquaintance and intercourse with the "whig party," or opposition party in England, enabled him to render them very interesting to politicians (even of the present day), and will always make them so to historians of our country. It has also been observed, that from no history or collection of contemporaneous papers, can be obtained a more minute and accurate detail of the circumstances and measures of that day; a more thorough acquaintance with the conspicuous characters of England in the times in which they were written; or a more sure information, with respect to the schemes and policy of the different

parties which espoused or opposed the interests of the colonies, than from these letters of Arthur Lee. They gave his brother the earliest intelligence of every circumstance, which could conduce to the intelligent action of that spirit of resistance, that his brothers and their patriotic coadjutors were endeavouring to rouse, against the arbitrary acts of the mother country. In this way Mr. Lee conferred on his own country essential services.*

In the year 1769, a society of gentlemen of the opposition party in London, called "the Supporters of the Bill of Rights," of which Mr. Lee was a member, adopted a preamble and resolutions; in which most of the political subjects of controversy between the ministry and opposition were discussed. These resolutions, together with the preamble, were published by order of the society. The last resolution related to American affairs, and required from any candidate whom the members of the society would support for election to parliament, a pledge to seek the restoration to America of the essential right of taxation, by their own representatives, and a repeal of all acts passed in violation of this right, since the year 1763." The preamble and resolutions were written by Mr. Lee. The famous John Wilkes was also a member of the society, and was now at the zenith of his popularity. The author of the celebrated letters of Junius was friendly to the principles and design of this society. It was formed of the party he had espoused. Junius, about the time of the appearance of these resolutions, and this preamble, had commenced a private correspondence with Wilkes, for the purpose of aiding the supporters of the Bill of Rights, in their attacks upon the ministry. The society eagerly accepted the proffered aid of Junius. Junius was not entirely pleased with the preamble and resolutions; and soon after their appearance, addressed a long letter to Wilkes, to be laid before the society, in which he fully stated his objections to them and his reasons for his objections. This letter of Junius, and the preamble and resolutions, may

* The letters here spoken of, will be found in the Appendix to this work, No. I.

be found in the edition of Woodfall's Collection of the Letters of Junius, printed in Philadelphia, by Bradford & Innskeep, 1813, p. 172, of vol. i. In this letter, we have the opinion of Junius on the subject of American taxation. At page 183, of the edition just spoken of, he notices the resolutions relating to Ireland and America, thus: "You are very civil to Ireland and America; and if you mean any thing but ostentation, it may possibly answer your purpose. Your care of Ireland is much to be commended. But I think, in good policy, you may as well complete a reformation at home, before you attempt to carry your improvements to such a distance. Clearing the fountain is the best and shortest way to purify the stream. As to taxing the Americans by their own representatives, I confess I do not perfectly understand you. If you propose that, in the article of taxation, they should be left to the authority of their respective assemblies, I must own, I think you had no business to revive a question which should, and probably would lay dormant forever.* If you mean, that the Americans should be authorized to send their representatives to the British parliament, I shall be contented to refer you to what Burke said on that subject, and will not venture to add any thing of mine own, for fear of discovering an offensive disregard of your opinion. Since the repeal of the stamp act, I know of no acts tending to tax the Americans, except that which creates the tea duty, *and even that can hardly be called internal*; yet it ought to be repealed, as an *impolitic* act, not as an *oppressive* one.† It

* It is obvious, that Junius had not paid much attention to American questions. To be left to the authority of *their own assemblies* to grant money to the mother, was what the Americans had, all along, claimed as a right.

† Here Junius betrays his inattention to the principles asserted in the taxing acts. The reservation of the small duty on tea, was *expressly* made to assert the right of the parliament of Great Britain to tax America, without her consent, in any mode and to any extent. It was to the assertion and assumption of this right, and not to the amount of the duty, that the colonies objected. What security had they, that, if the principle was allowed to be true, it would not be hereafter enforced more rigorously? The excise laws were then in operation. When Junius says, "the tea duty could hardly be called internal," he was, in fact, vindicating the propriety of the duty and its principle. Junius suffered no actual oppression, yet how vehemently he maintained that the violation of the principles of the constitution, even by the assertion of a false one, was oppression. This was the proposition which the Americans maintained.

preserves the contention between the colonies and the mother country, when every thing worth contending for is, in reality, given up. When this act is repealed, I presume you will turn your thoughts to the postage act, a tax imposed by the authority of parliament, and levied in the very heart of the colonies. I am not sufficiently informed on the subject of that excise, which you say is substituted in North America for the laws of customs, as to deliver such an opinion on it as I would abide by. Yet I can easily comprehend that, admitting the necessity of raising a revenue for the support of government there, any other revenue laws but those of excise, would be nugatory in such a country as America. I say this with great diffidence, as to the point in question, and with a positive protest against any conclusion from America to Great Britain." In one of Wilkes's letters to Junius, he tells him, "that the American Dr. Lee, the author of the letters signed "Junius Americanus," is the author of the preamble and resolutions, upon which Junius was commenting. The authority of Junius, adverse as his *opinions* certainly were to American rights, might have been injurious to the cause of the colonies, by abating the zeal of the opposition in its favour. This consequence was at once discerned by Mr. Lee, who, unawed by the name and ability of Junius, and true to the cause nearest his heart, determined to controvert, by a direct reply to his letter to Wilkes, his opinions respecting American taxation. In a subsequent letter of Wilkes to Junius (page 189 of the edition already quoted), Wilkes tells him that he had laid his letter before the society, and "that Dr. Lee had told him he thought the letter capable of a full answer, which he meant to lay before the society on a future day, which he would first communicate to him."

Mr. Lee made good his intution, and wrote an answer and transmitted it to Junius. No one had before answered this able writer with success. The boldness of Mr. Lee was amply sustained by his talents, which drew from Junius himself the following compliment, and an invitation to aid him, "where he thought him *right*,

as he had opposed him, where he thought him *wrong*." At page 209 of Woodfall, Junius thus writes to Wilkes. "My American namesake is plainly a man of abilities, though a little unreasonable, when he demands more than an absolute surrender of the fact. I agree with him, that it is a hardship on the Americans to be taxed by the British legislature; but it is a hardship inseparable in theory, from the condition of colonists in which they have voluntarily placed themselves. If emigration be no crime to deserve punishment, it is certainly no virtue to claim exemption; and however it may have proved essentially beneficial, the mother country was but little obliged to the motives of the first emigrants. *Au reste*, I see no use in fighting this question in the news papers; nor have I time. You may assure Dr. Lee, that to *my* heart and understanding, the names of American and Englishman are synonymous; and that as to any future taxation upon America, I look upon it as near to impossible, as the highest probability can go—

I hope, that since he has opposed me, where he thinks me wrong, he will be equally ready to assist me, where he thinks me right."

In the following letter of Mr. Lee to one of his brothers, he mentions, with other incidents of the day, the formation of the society of "the Bill of Rights." The reason, why the "North Britons" (as he terms the Scotch) were so opposed to this society was, that it was formed of those who were friendly to Wilkes and his cause. The dislike, entertained by Junius and Wilkes, of the Scotch, and their abuse of them, will be recollected by the reader. There was a strong prejudice at this time prevailing in England against the Scotch, arising from the fact that most of the influential members of the ministry and their party, were Scotchmen. George the III. had been educated under the care and guardianship of the Earl of Bute, who was of Scotch descent, and was strongly attached to Scotch politicians. He had imparted this partiality to the king, who in the early part of his reign, bestowed most of the highest and more lucrative places on them. This partiality, however just

in itself, was indiscreetly indulged. The English part of the empire became jealous of this bias in the mind of the king; and jealousy at length rose to discontent and complaint. It was not strange that the opposition should have made the most of this temper of the people of England, and that the "North Britons" should have adhered closely to the ministerial party. The society of the Bill of Rights, being an efficient organ of opposition, could not fail of being an object of denunciation by them. In this letter Mr. Lee mentions a curious anecdote, that a speech had been made in England, for Lord Botetourt, to be delivered by him on his arrival in the colony of Virginia, to the House of Burgesses; that this speech had been debated in the King's Privy Council, where Lord Shelburne (always the friend of the colonies) had succeeded in expunging a part of it, requiring from the house of burgesses of that colony, an express acknowledgment of the principle of the declaratory act, which that body had resolutely declared to be unconstitutional.

"My Dear Brother,—I hardly thought the distance of the ocean between us was so immense, that not a line from you, or any one else in Virginia, could have reached me. Yet so I hitherto unhappily experienced.

May I give you joy, as I do our brother William, who has changed his voyage to India, in the Princess of Wales, into one to the land of matrimony, in the Miss Ludwell. As a warm climate suits not with him, I hope he will find a temperate one in the place of his destination.

The esquire writes me, of your not being any longer a member of the assembly. How immoderately lazy you are!

I have sent all the political pamphlets worth reading to Richard Henry, which I suppose you will read. We are here in very great confusion, parties run so high. Mr. Wilkes is expelled a third time, and will be re-chosen. The two Irish chairmen condemned to death for a murder at the Brentford election, have been pardoned, on a groundless and venal opinion of ten surgeons, five of

whom were placemen, that the blow did not appear to them to be the cause of the death. So not one person has suffered for that unparalleled outrage.

Several addresses have been obtained, condemning the opposition and flattering the ministry. But they are the fruit of force and fraud, and serve rather to manifest a contrary sense in the people, to that which they convey to the throne. The address of the merchants of London was presented yesterday. The mob rose against it, and shut the city gates, and put the whole cavalcade to flight. The shattered remains escaped to St. James', accompanied by a hearse, representing the murder of Allen. The bells were muffled, and were tolled as the addressers passed along Fleet-street, which leads to the city gate. Neither the form, nor the propriety of this address, were ever submitted to the merchants; but these were determined by Mr. Boehem, Mr. Dingley, and Mr. Muilman; the former a man of reputation and credit as a merchant, the two others of bad characters; the first and last Dutchmen. The merchants had it only in their option to sign it or not to sign it; the placemen, tools, and Scotsmen, chose the former; and their act passes for that of all the merchants. There never was a more infamous transaction. Mr. Molleson, Mr. Guest, and Mr. Buchanan, were among the signers.

The affairs of America received their final discussion last week, in the rejection of the New-York petition. The ministry carry every thing, with an absolute majority. A set of men could hardly be chosen, more despised, here, and in America; but they coincide with the views of court; and while such principles remain there, 'tis of little moment who are in the administration. We have little hope from any change, and seem so little faithful to our own cause, that it is confidently asserted, that more goods than ever have been shipped to America this year. If it be thus, we infamously lay down the only weapons we have; slavery is our due, and it will infallibly be our portion.

The worthy Lord Barrington moved the other day for empowering the officers in America to quarter the sol-

diers in private houses. But the ministry being divided upon it, a negative was the fate of his motion.

A number of gentlemen have formed an association under the title of Supporters of the Bill of Rights, which gives no small offence to administration, and to the North Britons, because they patronize subscriptions for Mr. Wilkes, and are determined to pay his debts, and make him independent. The chief of them are St. John, St. Aubin, Sir John Molesworth, Sir Joseph Mawbey, Mr. Sawbridge, Mr. Turner, Mr. Townsend, Mr. Maclean, Mr. Glyn, members of parliament; Sir Cecil Wray, also a member; Lord Viscount Montmerries, Sir Francis Delaval, Sir John Barnard, all of them independent, and except Maclean and Townsend, of very considerable family and fortune. Mr. Sawbridge is a brother of the celebrated Mrs. Macauley. The addresses are principally levelled at this association. I have been at one of their meetings, but my purse is not equal to my inclination to support the Bill of Rights.

Your governor's speech was drawn up here, and debated in council. Before he went out, Lord Shelburne obtained the expunging of an express requisition from your assembly, of an acknowledgment of the Declaratory Bill. If therefore any such is made, it is on the sole authority of Lord Hillsborough.

My love to all with you, particularly to Mrs. Lee, if yet so constituted. Adieu, &c.

ARTHUR LEE.

London, March 23d, 1769.

CHAPTER II.

Political contentions between the Ministerial and Opposition parties in England—

The Lord Mayor of London, Crosby, and Alderman Oliver are committed to the Tower, by order of the Commons—The Society of the Bill of Rights vote their thanks to Crosby and Oliver, and an Address to them—Lee is appointed to draught the Address and prepares it—It is accepted and published—The Address—Its style, &c.—It is admired—He is appointed Colonial Agent of Massachusetts, in case of the death or absence of Dr. Franklin—Is retained by the Assembly of that Province to support their Petition to the King, to remove the Governor and Lieut. Governor—Dr. Franklin's trial before the King and Council, respecting the publication of certain letters—On the return of Doctor Franklin, he becomes the Agent for the Province—Remains of a history of the Revolution, by Mr. Lee—His services to the Province of Massachusetts, and the generous conduct of its Assembly—He becomes a friend and correspondent of Samuel Adams—The character of their correspondence—Letter of Dr. Rush—Letter on American affairs of Lee, to his brother in Virginia—Anecdote of Lee and Wedderburne—The Petition to the King and the Addresses of the first Congress are sent to Lee, to be presented and published—Letter of Burke on this subject—Anecdotes and letters of Lee respecting the reception of these Papers, by the King and People of England—Letter of the second Congress to Lee and Penn, with another Address—The case of Mr. Lovell—His letter to Mr. Lee—Their subsequent friendship and correspondence.

DURING the years 1770 and '71, the political contentions between the ministry and the opposition were very violent. This was particularly the case in the city of London. A messenger of the house of commons arrested a printer, a citizen of London, by order of the commons, commanding him to appear at their bar, for having printed some debates of the house which they declared to be a violation of the privileges of parliament. The opposition contended, that no constitutional privilege justified the warrant, under which the messenger had arrested the printer. This incident gave rise to warm discussions in the papers at the time, and many debates in parliament. The messenger of the commons was taken into custody by a constable, who carried him before the lord mayor. The case was heard by the lord mayor, and aldermen Wilkes and Oliver, who discharged the printer,

and signed a commitment of the messenger, for an assault and false imprisonment. This proceeding so exasperated the commons, that they summoned the aldermen to appear at the bar of the house, to answer for their conduct. Wilkes refused to obey the summons; but the lord mayor and alderman Oliver attended, and justified their proceeding. They were committed to the tower for contumacy. Mr. Crosby, the lord mayor, upon hearing the order for his commitment, addressed the speaker in terms of firm and manly remonstrance against this arbitrary step, and concluded with this bold and patriotic declaration:—"I will through life continue to obey the dictates of honour and conscience; to support, to the utmost of my power, every part of the constitution of this kingdom; and the event I shall always leave to heaven; at all times, ready to meet my fate."

This measure of the commons excited a strong sentiment of indignation throughout the nation. The society of the supporters of the Bill of Rights passed resolutions against the outrage committed upon the lord mayor and the alderman, and voted an address of thanks to these magistrates, warmly approving of their firmness in having resisted the illegal conduct of the commons. Mr. Lee was appointed to write the address, which being adopted, and much admired, was published by the livery of London. It is here inserted, and is taken from his original MS. draught.

"The Members of the Bill of Rights, impressed with the deepest respect and gratitude for the manly support you have given to the law of the land, and the liberties of the nation, in committing a messenger of the house of commons, for an assault on a citizen of London, have deputed us to convey to you their thanks and approbation of your conduct.

When privilege is at variance with the law of the land and the rights of the people, no honest man can hesitate to determine against it. Our ancestors held as a maxim, that he who does not favour liberty, is impious and cruel.*

* Mr. Lee has quoted in his MS. the maxim in Latin "*Libertati, qui non favet, impius et crudelis judiciandus.*" Fortescue.—*Ld. Coke.*

Had there been only a doubt, therefore, of the constitutional and legal tendency of the proceeding you opposed, that doubt would have justified your opposition. The process which deprives a freeman of his liberty, ought to be clear and unquestionable. But this proceeding was plainly arbitrary, and subversive of the general liberty of the subject, declared in Magna Charta and other venerable statutes, as well as of the chartered rights of the city of London, most solemnly confirmed by act of parliament. You therefore, gentlemen, when you upheld the law, acted with a spirit and integrity becoming the first magistrates of this great city, which has ever distinguished itself in patronizing liberty.

We have been told, that usage will justify this exercise of privilege. But it is a maxim of the common law, the groundwork of our constitution, that "*usage against reason is an usurpation.*"* Now it is manifestly against reason, that the people should be subject to be deprived of their liberty, at the arbitrary and capricious will of an assembly of their own creation; and that creation, too, for the very purpose of preserving liberty. "*The principles of the law of England are always favourable to the personal liberty of the subject.*"† If the powers of the house of commons are not exactly defined by law, still they must be limited by the principles of it, and by the reason of the case in which they are exercised. To shut up from the people, who have an essential and unalienable right to inquire into the conduct of their representatives, all knowledge of their proceedings, is against reason, a flagrant violation of right, and stamps an alarming suspicion on those whose actions are thus carefully covered with darkness. A house of commons, privileged against the people, to trample on the law, is a manifest and monstrous absurdity. They were vested with privilege to defend them in the due exercise of their functions, from the crown and its ministers. And we yet hope to see,

* *Consuetudo contra rationem, potius usurpatio, quam consuetudo appellari debet.*—Ld. Coke.

† *Anglia jura, in omni casu, libertati dant favorem.*—Fortescue.—Who does not admire and cherish the common law?

through the awakened virtue of the people, a house of commons, who will direct the powers trusted with them by the community, not against liberty, but to a severe and exemplary inquiry by whose advice it has happened, that the present reign, considering its duration and circumstances, has been arbitrary and unconstitutional beyond the worst example of former times. It is then, that the alarms of the people will be composed, their indignation will subside, and their confidence in their representatives and in government will be restored. They never can be supposed to have chosen deputies to be tyrants; that is, to have an arbitrary and unexaminable power over themselves. They acknowledge no absolute power over them but the law, and to that their representatives are equally subject.

It is in support of this, gentlemen, that you now suffer; and, next to vindicating the violated laws, we deem it your greatest happiness and honour to suffer nobly in their defence. The fabric of English liberty has been cemented by the blood of Englishmen; and should it be necessary, we trust there is yet patriotism enough, to furnish blood for its reparation.

To the Right Honourable Lord Mayor,
and Mr. Alderman Oliver."

The bold and strenuous part that Mr. Lee, for several years, had taken in opposition to the ministerial measures, against those particularly which affected the colonies, had rendered him popular in all of them. The character he had established as a writer and an advocate, had become known in the colonies. Hence, in the year 1770, he was appointed, by the assembly of Massachusetts, agent for that colony, in case of the absence or death of Dr. Franklin, who was then residing in London in that capacity. Dr. Franklin had been preceded in this honourable appointment by Dennis De Berdt, a highly respectable gentleman of London. Dr. Franklin continued in London until the spring of 1775. From the time of the appointment of Mr. Lee just mentioned, until the return of Dr. Franklin to America, when he became sole agent for the Massachusetts Assembly, he aided Dr. Franklin with his

advice and opinions, on the affairs of that colony. A close and warm intimacy sprang up, and continued, between these patriots, while they resided together in London. Their friendship was founded upon their private virtues, was nourished by similar patriotic motives, and was adorned and enlivened by scientific researches and acquirements. But their mutual political and scientific friends had to regret, at a subsequent period, their estrangement from each other. The causes of the interruption of the friendship of two such men, are subjects not inappropriate to the designs and province of biography. They are stated therefore in another part of this memoir of Mr. Lee.

The mention of this honour done him by the assembly of Massachusetts, is made by Mr. Lee, in the remains of a sketch which he left behind him, of a history of the American revolution, which the reader will find in the Appendix, No. 2. He will there find the letter of thanks, addressed by him to that assembly; a letter, which an American reader will peruse with no ordinary interest. The reader will pardon a digression, which appears not to be improper here.

The author had understood from the family of Mr. Lee, that he had commenced, shortly before his death, a history of the American revolution; of its political character, as well as of its military events. He has found among his MSS. some sheets of "Memoirs of the American Revolution," which, he says, he wrote "to aid in placing the history of the American revolution in its true light." He had, it seems, commenced the execution of a design, that would have produced a work of value and interest to his own and to future times. What part of this memoir remains will amply repay him who shall read it. The knowledge of the rise and earliest progress of our revolutionary struggle contained in it, will be gratifying to every intelligent mind, and important to our future historians; for every authentic, additional ray of light cast upon the events and genius of that great transaction, will reflect glory upon our nation, and en-

lighten the path of every people, who shall strive for freedom.*

In the year 1773, as the reader will remember, Dr. Franklin obtained possession of several letters, which he transmitted to the assembly of Massachusetts. These letters were found to have been written by the governor and lieutenant governor of that province. They contained statements, calculated, in the opinion of the assembly, to make false impressions of their proceedings, and of the feelings and grievances of the people; and to excite a temper in England prejudicial to their cause. The discovery of these letters and the writers of them, so exasperated the assembly, that a petition to the king and council for the removal of the governor and lieutenant governor from their offices, was voted and sent to Dr. Franklin to be presented to the king. The whole matter was made one of enquiry before the king and privy council; but it was decided, as it might have been expected, that the grounds and charges of the petition were frivolous and vexatious. The assembly directed Dr. Franklin, in the event of an enquiry into the conduct of the governor and lieutenant governor, to employ Mr. Lee to support their petition.† After Dr. Franklin left England, in the year 1774, Mr. Lee became the acting agent for the assembly, and continued in this capacity, until he repaired to France, as a secret agent of the United States to the court of that country. On the departure of Dr. Franklin for America, he addressed the following letter to Mr. Lee.‡

CRAVEN STREET, MAR. 19, 1775.

Dear Sir,—I leave directions with Mrs. Stephenson to deliver to you all the Massachusetts papers, when you please to call for them. I am sorry that the hurry of preparing for my voyage, and the many hinderances I have met with, prevented my meeting with you and Mr. Bollan, and conversing a little more on our affairs, before

* The remnant of these "Memoirs" will be found in No. 2, of the Appendix.

† See letters of the venerable Thomas Cushing, then speaker of the assembly of Massachusetts, to Mr. Lee. Appendix, No. 9.

‡ This letter is taken from the autograph of Dr. Franklin.

my departure. I wish to both of you health and happiness, and shall be glad to hear from you by every opportunity.

I shall let you know how I find things in America. I may possibly return again in autumn, but you will if you think fit, continue henceforth the agent for Massachusetts, an office which I cannot again undertake. I wish you all happiness, and am ever, yours affectionately,
B. FRANKLIN.*

Arthur Lee, Esq.

One of the most interesting incidents in the life of Mr. Lee, is connected with his appointment of agent for the colony of Massachusetts. He was recommended for that honourable but hazardous office, by that able, inflexible and intrepid patriot, Samuel Adams, whose sagacity had already discerned in him a spirit congenial with his own. At this time, he was personally unknown to Mr. Adams. A mutual friend of these gentlemen, who was then in London, made known to Mr. Lee the fact just mentioned, and at the same time, acquainted him with an invitation from that great man to commence a correspondence, which he immediately accepted. They gave each other constant information of every event which occurred in America and England, that had any connexion with American affairs. The remains of the correspondence of these patriotic citizens, that have been found

* It is due to the honour of Massachusetts to state, that the legislature of that commonwealth presented to Mr. Lee a tract of land, of considerable value, as a compensation for his services in the capacity of agent of the colony of Massachusetts Bay, and as a mark of their gratitude for them. The following extract of a letter of Samuel Adams to James Warren, Esq. refers to the services of Mr. Lee at this period. Speaking of his attachment to him and his brothers, whom a faction had endeavoured to injure, Mr. Adams says, "Now you tell me their art is to prejudice the people against the Lees, and to propagate that I am a friend to them. How trifling is this! Am I accountable to the people for my opinions of men? If I have found from long and intimate acquaintance with those gentlemen, that they are and have been, from the beginning of this contest, among the most able and zealous defenders of the rights of America and mankind, shall I not be their friend? I will avow my friendship to them in the face of the world. *As an inhabitant of Massachusetts Bay, I should think myself ungrateful not to esteem Arthur Lee most highly, for his voluntary services to that state, in times of her greatest need, to the injury of his private interest, and at the risk of his life.*" How noble was the spirit of the inestimable patriot, Samuel Adams, and how honourable to any man was his friendship!

among the manuscript papers of Mr. Lee, may be seen in the Appendix, Nos. 8, 9. These letters are highly important to the history of the American revolution, and while they are creditable to the talents of the writers, they are invaluable to every succeeding generation of their countrymen. Fortitude, wisdom, inflexible virtue, and ardent patriotism are evinced in every line. While such men informed, guided, and animated the people of the colonies, it was impossible for *physical power* to subdue them. While the memory, the virtues and principles of such men shall continue to be revered and cherished, the examples of the heroic days of our nation will secure to it the blessings of republican freedom!

The following letter of our justly admired and celebrated countryman, Dr. Rush, with whom Mr. Lee had become acquainted in London, or perhaps at Edinburgh, written about the time we have been contemplating, and breathing its spirit, will not be unacceptable to the reader.

Dear Sir,—I am far from being the last among my countrymen in admiring your zeal in the cause of American liberty. We grow more sanguine daily, from the success of our opposition to the measures of the court. There is a general union among the colonies, which no artifices of a ministry will be able to break. Dr. Franklin is a very popular character in every part of America. He will be received, and carried in triumph to his house, when he arrives amongst us. It is to be hoped he will not consent to hold any more offices under government. No step but this can prevent his being handed down to posterity among the first and greatest characters in the world.

I am about to appear before the public, as the author of an oration delivered in the American Philosophical Society, on the natural history of medicine among the Indians in North America, and a comparative view of their diseases and remedies, with those of civilized nations. I have connected with the subject some political reflections, which will tend to enlarge the ideas of the

future populousness and grandeur of America. It has been published in Philadelphia, and was read with partiality even by my countrymen. I tremble for its fate on your side of the water. You must apologize for the author, by pleading his many disadvantages, from the want of leisure, books and literary company.

My success in business has exceeded the expectations with which I left London. With this I am obliged to console myself for the want of many rational enjoyments, which I gave up in England. The chief object here is commerce, which, you know, when pursued closely, sinks the man into a machine. Our merchants are alive to sentiments of liberty and public virtue. They have twice rescued America from slavery; but it is reflecting on their *business* only, to add, that they have little relish for the "feast of reason, and the flow of soul."

My brother joins in compliments to you, with dear sir, your most humble servant, B. RUSH.

Arthur Lee, Esq. Middle Temple, London.

Philadelphia, May 4th, 1774.

In the early part of the year 1774, American affairs wore a threatening and gloomy aspect. The hearts of many began to faint; and of all to feel forebodings of danger and suffering, or of submission and slavery. The feelings and anticipations of Mr. Lee, who witnessed the darkness in its thickest shade, will be seen from the following letter to one of his brothers:

"Most sincerely do I congratulate my dear brother, on the possession of that retirement, in which only can true tranquillity and happiness be enjoyed. Would to Heaven I could participate in the blissful retreat!

Where peace, with ever blooming olive, crowns
The gate; where honour's liberal hands effuse
Unenvied treasures, and the snowy wings
Of innocence and love protect the scene.

May providence watch over you, and protect you from that alarm, which, according to the poet,

"Through thickest shades, pursues the fond of peace."

How ought I to lament that my fortune and my temper are perpetually combating my inclination and my judgment. No man can see in a more amiable light, or feel a stronger desire of enjoying retirement, than I. Yet, unhappily, my fate has thrown me into public life, and the impatience of my nature makes me embark in it, with an impetuosity and imprudence, which increase the evils to which it is necessarily subject. The pursuit is as endless as it is turbulent and deceitful. One bubble is no sooner burst than another rises, with something new to engage and irritate its deluded pursuers. You will judge by this time, that I have nothing to say of my own situation and success, which can gratify the benevolent wishes you have the goodness to entertain for me. In my distresses you will also sympathize, for they are felt for our country. The parliament are now bringing the question to that decision, which makes me tremble for the virtue, the character, the liberties of my countrymen. They have passed an act to take away the port of Boston, till every compensation is made for the tea, and perfect obedience is acknowledged. And then it is to be restored in such portions as the king pleases. What makes this more alarming is, that no accusation is brought against the town, no evidence produced to criminate it; and it is avowed, that this is the first step towards reducing all America to an acknowledgment of the right of parliament to impose taxes upon her, and to a submission to the exercise of that right.

The Americans who are here have thought it of so much consequence, that they have petitioned the three branches of the legislature against passing such a bill; but, as you may imagine, without success.

The next proceeding against Boston and the province is already announced in the house of commons. The selectmen and town-meetings are to be abolished. The governor is to be endued with the power of calling the citizens together, when and for what purpose he pleases. They are not to deliberate on any thing but what he dictates. The council and judges are to be suspended at the governor's pleasure. The constitution of juries is to

be altered, so as to render them more manageable in finding bills and verdicts against the friends of liberty.

We are just informed that General Gage is going over immediately, with three regiments, as governor of Massachusetts, and commander-in-chief; that he is to collect an army about Boston, in order to impose these measures, and reduce the people to entire obedience.

The storm, you see, runs high; and it will require great prudence, wisdom, and resolution, to save our liberties from shipwreck. In my opinion, *there ought to be a general congress* of the colonies; and I think Annapolis would be the place, where it would be less liable to military interruption, than at New-York or Philadelphia. If you have virtue enough to resolve to stop, and to execute the resolution of stopping your exports and imports for one year, this country must do you justice. The shipping, manufactures, and revenue, depend so much on the tobacco and Carolina colonies, that they alone, by stopping their exports, would force redress. Such a measure should be attended with an address to the merchants, manufacturers, and traders of this country, stating the necessity which compels you to a measure injurious to them; professing every thing to flatter and conciliate them. Such a measure, operating at the general election, next April, would probably produce such a return of members, as would listen to truth and redress, not so much our grievances, as their own.

This is the only effectual measure I can conceive. If there is not virtue enough for it, I am afraid American liberty is no more; for you may depend upon it, that if they find the chains can be easily imposed, they will make them heavy, and rivet them fast.

It is impossible for me to describe how much I am grieved at these proceedings, and with what anxiety I look forward to the event. You know I have doubted the virtue of my countrymen. God grant, that I may be mistaken; that by a wise, temperate, and firm conduct, they may escape the blow intended, and preserve their freedom. The friends of liberty here, look to your conduct with great anxiety. They consider it as decisive,

either to establish or overturn the present plan of despotism.

There is a spirit of violence, injustice, and persecution in administration, against every active friend of America, which makes that character perilous. I cannot see that any service can be done here until the event of these measures is seen, and the popular prejudices begin to abate. I am therefore determined to withdraw myself, by taking the advantage of a favourable opportunity of visiting Rome, for some months; from whence however, I shall return sooner, if any great event should hold out a probability of my being useful.

Mrs. Lee well knows the power of praise; and how ambitious I should be of meriting it from her. But, alas, I have not the powers of pleasing. Horrors only dwell on my imagination. Public corruption at present, and public calamity for the future, are the dismal objects which incessantly fill my mind. The busy haunts of men furnish more to lament than to rejoice in; to censure, than to praise. They are filled with scenes of false happiness and real misery, variety of vice and wretchedness. It is rural retirement only, rural innocence, rural tranquillity, which excite an uninterrupted flow of ideas, amiable and delightful. In these pleasing scenes, the perturbed spirits settle into a calm, productive of more real happiness, than all that the splendour of fortune, all that the pomp of power can bestow. It is there the golden age revives, and all things inspire the spirit of love and delight.

My best love awaits her. Remember me at Mt. Airy, Stradford, Chantilly, and wherever else you think the mention of my name will not be disagreeable.

Adieu, &c.

ARTHUR LEE.

Francis L. Lee.

April 2d, 1774.

The following anecdote, which grew out of the circumstances of these times, will not be considered a digressive one, as it illustrates the character of one of those really

great men, whom the God of providence raised up to consummate through their subordinate agency, one of the graudest events in His moral government of the world. During a debate in the house of commons on American affairs, Mr. Lee, who always attended in the lobby of the house when any American question was debated, heard Mr. Wedderburne (afterwards Lord Loughborough) make a violent attack on the character of the colonial assemblies, and assert, that they had stopped all legal proceedings for the recovery by British merchants, of debts due to them from the inhabitants of the colonies, upon the pretence of the oppression of the stamp act, and had afterwards refused to restore the legal means of the recovery of such debts, although that act had been repealed.* Mr. Lee heard this assertion with indignation. As soon as parliament adjourned, he addressed a note to Wedderburne, in which he denounced in strong terms, his charge against the American assemblies, and called on him as a man of honour, to retract it in as public a manner as he had made it; and threatened, if he did not do so, to declare him through the public papers, "a propagator of mischievous calumnies against America." One of the admired and celebrated addresses of the continental congress in the year 1774, was an address to the king on the subject of colonial grievances. On the 26th October 1774, it was resolved, "that the address to the king be enclosed in a letter to the several colony agents, in order that the same may be by them presented to his majesty; and the agents be requested to call in the aid of such noblemen and gentlemen, as are esteemed firm friends to American liberty, &c." Mr. Richard Henry Lee wrote the letter to the agents.† Mr. Arthur Lee was at this time, as it has been already mentioned, the agent for Massachusetts. The extensive acquaintance and intercourse of Mr. Lee with the leaders of the opposition party, enabled him to execute the request contained in the latter part of the above resolution to great advantage.

* The Americans did not complain of any *actual* oppression from this act, but of the dangerous and unconstitutional principle which it asserted. The act indeed had been repealed, but its spirit was expressly retained and enforced in the tea duty.

† See Journals, p. 56.

He presented copies of the several addresses of the congress, viz., to the king, to the people of British America, and to the people of Great Britain, to Lord Chatham, to Mr. Burke, and to many other distinguished friends of America. These addresses produced a great effect on the mind of the British people, and drew from Lord Chatham a well known expression of admiration.*

As soon as these papers reached Mr. Lee, he took the necessary steps to present the petition to the king, and to procure the most extensive circulation of the address to the people of Great Britain. Being particularly anxious to avail himself of the active and open agency of Mr. Burke, whose weight of character and influence with the people were at this time great. Mr. Lee addressed a letter to him, desiring that he might accompany him when he should wait with the petition to the king, on Lord Dartmouth, who had succeeded Lord Hillsborough as secretary for the colonies. The reply of Mr. Burke is taken from his autographic letter, now in possession of the author. Although he declined to comply with the request of Mr. Lee, for the reason his letter discloses, it still evinces his real friendship for the colonies, and the candour and genuine patriotism of that great man.

“Sir,—I am honoured with your letter of the 21st inst. informing me of the time on which you purpose to wait on Lord Dartmouth, with the petition of the American congress.

I should be happy to attend you on that occasion, as you desire, if I were in the slightest degree authorized to do so by the colony which I represent. I have been chosen agent by the general assembly of New-York. That assembly has actually refused to send deputies to the congress; so that, if I were to present a petition in the character of their agent, I should act not only without, but contrary to the authority of my constituents. Whilst I act for them, it is not possible for me, in my transactions with the boards or ministers, to divest myself occasionally of that character.

* See Appendix, No. I. A. Lee's letter to his brother, dated Dec. 22d, 1774.

This, and this only, is my reason for not obeying your commands. I do approve exceedingly of all dutiful applications of the congress to his majesty. I am convinced, that nothing is further from the desires of the gentlemen who compose it, than to separate themselves from their allegiance to their sovereign, or their subordinate connexion with their mother country. I believe they sincerely wish for an end of these unhappy troubles, in which, while all are distressed, they must be the first and greatest sufferers. It were greatly to be desired, that ministers could meet their pacific dispositions with a temper corresponding to them. On these principles I heartily wish you success, in your laudable endeavours for the restoration of peace, and the reconciliation of our fellow subjects to their sovereign.

I have the honour to be your most obedient and humble servant,

EDMUND BURKE.

Beaconsfield, Aug. 22d, 1775."

Mr. Richard Penn (a descendant of William Penn, and the agent for the colony of Pennsylvania) and Mr. Lee addressed a note to Lord Dartmouth, informing him of the commands they had received from congress to present their petition to the king, and respectfully requesting an interview with his lordship for the purpose of presenting it through him (according to the routine of established ceremonies of state) to his majesty. To their note Lord Dartmouth returned the following polite reply.

"Lord Dartmouth presents his compliments to Mr. Richard Penn and Mr. Lee; he has just received by the post their note of the 21st inst., which would have been sent to him by express, if it had been known at his office that they had any commands for him, Lord Dartmouth having left orders there that he should be sent for whenever his presence should be required in town. He will return to London in a day or two, and will not fail to inform Mr. Penn and Mr. Lee of his arrival."

"Sandwell, 24th August 1775."

At their interview with Lord Dartmouth, these gentlemen delivered the petition to him, which was signed by the president of congress, who promised them that he would immediately lay it before the king, and make known his answer to them. While the petition was yet before his majesty, a debate took place in the house of lords on American affairs. In this debate Lord Dartmouth alluded to a publication that Mr. Penn and Mr. Lee had caused to be made, in which they stated what had occurred in the course of their interviews with that minister respecting the delivery of the petition. Mr. Lee, who thought he discerned in the remarks of Lord Dartmouth a covert censure on them, and an implied denial of the truth of the statement made in their publication, determined if Mr. Penn understood Lord D.'s remarks as he did, to reply to them through the press. Mr. Penn however, not perceiving the same tendency in them that had struck the mind of Mr. Lee, Mr. Lee desisted from his purpose. Mr. Penn's note to Mr. Lee relates to interesting transactions, and is here inserted.

"Mr. Penn presents his compliments to Mr. Lee; what fell from Lord Dartmouth in the debate on Friday did not strike Mr. P. in the same light it seems to have appeared to Mr. Lee, from the contents of his note, nor did he imagine that his lordship intended to throw out any, the least insinuation against the conduct of either of them. It is not extraordinary to Mr. P. that any man in a bad cause when hard run, should endeavour to catch at any twig in his way; at the same time, Mr. P. is thoroughly satisfied in his own conscience, that what they have already laid before the public respecting the delivery of the petition, was the truth, the whole truth, and nothing but the truth.

New Bond Street, Nov'r. 12th, 1775."

After some time had elapsed, without any answer having been returned to the petition to the king, Mr. Penn and Mr. Lee waited again on Lord Dartmouth, and expressed their earnest desire to receive some answer,

which they might return to congress. To their surprise and concern his lordship informed them that "no answer would be given." The following is Mr. Lee's account of this interview.—"Upon receiving this answer from Lord Dartmouth, 'that no answer would be given' to the petition, I expressed to him my sorrow that his majesty had adopted a measure which would occasion so much bloodshed. To this his lordship answered, that if he thought it would be the cause of shedding one drop of blood, he should never have concurred in it, but that he could not be of an opinion that it would be attended with any such consequences. My lord (I replied), as sure as we exist, this answer will be the cause of much blood being shed in America, and of most dreadful consequences. We then took our leave. Persuaded as I was that the determination of the king and his ministers had been long fixed for using force, I should not have troubled myself with making any observation on the answer we received, but that this secretary being a man of great candour and amiableness of character, I thought that the assurance I gave him of the consequence of the king's answer, would have some effect on the cabinet. We agreed upon the following letter to the president of congress.

LONDON, SEPT. 2, 1775.

Sir,—On the 21st of last month, we sent to the secretary of state for America, a copy of the petition from the general congress; and yesterday, the first moment it was permitted us, we presented to him the original, which his lordship promised to deliver to his majesty. We thought it our duty to press his lordship to obtain an answer; but we were informed, that as his majesty did not receive it on the throne, *no answer would be given.*

We have the honour to be, &c.

RICHARD PENN,
ARTHUR LEE."

In the spring of the year 1775, the lord mayor, aldermen and livery of London, the people of which city

had long been distinguished in the history of England for their love of freedom and boldness in asserting it, presented in the name of its citizens, to the king and parliament, a remonstrance against the colonial measures of the ministry. This incident produced a considerable sensation in England. The style and spirit of the remonstrance were greatly admired; and it was extensively circulated throughout the kingdom. Mr. Lee wrote it at the request of the Common Hall. He had acquainted his brother, R. H. Lee, of the adoption and presentment of the remonstrance; and had, at the request of the Common Hall, transmitted a copy of it to the congress, which body had assembled a second time at Philadelphia, on the 10th May 1775. On the 6th July it was resolved, "that a letter be prepared, to the lord mayor, aldermen and livery of London, expressing the thanks of this congress for their virtuous and spirited opposition to the oppressive and ruinous system of colony administration adopted by the British ministry." Richard Henry Lee was the chairman of the committee ordered to prepare it, and penned the elegant letter of thanks which may be found in the I. Vol. of the journals of the old congress, page 148.* Neither of the brothers was aware of the agency which each had had in the production of these papers until after the revolution, when they disclosed to one another the authorship of them.†

At this second session of the old congress another petition to the king, and another address to the people of Great Britain, were adopted. The committee who drew up the address to the people of Great Britain was composed of Richard H. Lee, R. R. Livingston, and Pendleton. This impressive and eloquent address was written by the first named gentleman, and may be found in the journals of congress. The petition and address were transmitted to the "Hon'ble Richard Penn, William Bolan, Arthur Lee, Edmund Burke, and ——— Garth, Esqrs.," with the following letter signed by the president of congress, which will be read with interest.

* See Life of Richard H. Lee, p. 153.

† Id. p. 153. See Jour. III.

"Gentlemen,—The perseverance of the British ministry in their unjust and cruel system of colony administration has occasioned the meeting of another congress. We have again appealed to the justice of our sovereign for protection against the destruction which his ministers meditate for his American subjects.

This petition to his majesty you will please gentlemen to present to the king, with all convenient expedition, after which we desire it may be given to the public. We likewise send you our second application to the equity and interest of our fellow subjects in Great Britain, and also a declaration for setting forth the causes of our taking up arms; both which we wish may be immediately put to the press, and communicated as universally as possible.

The congress entertain the highest sense of the wise and worthy interposition of the lord mayor and livery of London, in favour of injured America. They have expressed this their sense in a letter to his lordship and the livery, which we desire may be presented in the manner most agreeable to that respectable body.

You will oblige us, gentlemen, by giving the most early information to congress, and to the speakers of our respective assemblies, of your proceedings in this business, and such further intelligence as you may judge to be of importance to America in this great contest.

We are with great regard, gentlemen, your most obedient and very humble servants, &c.

By order of the congress.

JOHN HANCOCK, *Pres't.**

Philadelphia, July 8th, 1775."

Messrs. Penn and Lee presented the original to the king, through the secretary for the colonies, who soon replied to them that "no answer would be given." Mr. Lee has endorsed, on the paper from which the letter of the president of congress was copied, the following note and memorandum.

* This is taken from a copy signed with the president's autographic signature.

"Mr. Lee and Mr. Penn present their respects to Lord Dartmouth, and enclose a copy of an humble and earnest petition from the continental congress in America to the king; they mean, with Lord Dartmouth's permission, to wait on his lordship on Wednesday next at noon, with the original, for his lordship to present to his majesty.

Garden Court, Middle Temple, Aug. 21, 1775.

To the Right Honourable the Earl of Dartmouth,
Secretary of State for America."

An answer having been refused to this petition, Mr. Lee and Mr. Penn directed it to be printed in the public papers, with this advertisement prefixed:—"The following is a true copy of the petition from the general congress in America to his majesty, which we delivered to Lord Dartmouth the 1st of this month, and to which his lordship said no answer would be given.

Signed,

ARTHUR LEE,
RICHARD PENN.

Sept. 4th, 1775."

Such was the result of the second attempt of the congress to effect a return, by the English ministry, to the principles of the constitution, and to avoid the last resort of the injured and oppressed. The times were gloomy, and the future was dark. "Mep's souls" were indeed now "to be tried." The following letter from Mr. James Lovel of Boston, to Mr. Lee, will give the reader some idea of the lawless and daring outrages which were committed against the free citizens of the colonies by the English governors and commanders. This gentleman was afterwards, and for a long time, a deputy from Massachusetts to the congress, and was a conspicuous and useful member.

"Sir,—Suffering under a most wanton exercise of military power, I am sure it is needless to do any thing further, than establish that fact as an introduction to your notice and benevolent exertions for me; though I am personally a stranger to you, however strictly intimate with your real character, through your most favoured cor-

respondents in New England; and your political writings.

You know that General Gage, with troops from Great Britain, entered Boston with professions of friendship, and of a design to promote good order in the province. He erected works at the isthmus, which joins the town to the main country. He declared himself shocked, upon a remonstrance of the county of Suffolk, suggesting apprehended danger to the inhabitants of the capital city, in the month of September 1774. In April 1775, a foolish military excursion to the town of Concord brought on the present warlike proceedings of America. In the week after that rupture, the inhabitants of my native town were called upon to deliver up their arms, on condition of being at liberty to depart with all their effects, or to tarry under the general's protection.

The papers enclosed to you herewith, will discover the series of treatment which I experienced from that time. General Gage left Boston October 10th last year; at which time I sent copies of all my letters and petitions, whereby I had aimed to regain freedom by trial, with a copy of General Howe's evasive answer. I wrote also to the lord mayor of London; to the printer of the London Mercury, and to General Gage. I suspect the bearer Mr. William Powell deceived me, and did not deliver the packet to Mr. Thomas Broomfield, merchant; or that the latter through timidity, suppressed the papers.

When I was hurried from Boston jail in last March, I left my pocket book with my wife, but I recollected the most material passages in my petitions, for the information of my friends here, and afterwards gave them in charge to Mr. Michael Joy, who sailed from hence the 12th May. This worthy young man having been the protector of my family after my arrest, can give you a very minute description of its miseries.

General Gage threw me into prison, and left Gen. Howe with only the power of a jailor as he pretended, in October, though at the same time he offered to exchange me for two military officers.

The present commander, Gen. Massie, declares that

his hands are tied. He sent his chaplain to tell the prisoners, that he would take upon himself to release us for an equal number, if our friends would discharge such a number. He directed us to write letters to that purport, and said he would forward them immediately: but in two days after he acquainted a person who offered a vessel for a flag of truce, that if prisoners were actually to arrive here under a flag, he should be obliged to seize them till Gen. Howe's orders. Such is the duplicity with which British heroes conduct, after undertaking the task of kidnapping freeborn citizens!

I have not obtained a sight of General Massie, nor even one of his aids de camp. I have no prospect of release from jail, but through your sagacity and humane and generous spirit.

Hancock and Adams are the only names excepted in the lying act of grace, of June 12th. But there is a deep rancour against me for having publicly repeated, after judge Blackstone, what the murderers have now taught me by experience, "that slaves envy the freedom of others, and take a malicious pleasure in contributing to destroy it."

I must not omit to tell you that on the second of Feb. the general got possession of a billet, which I had given that morning to one going to Point Shirley. He thereupon ordered me to be closely locked up, and be debarred the use of pen, ink, and paper. They will plead this as a proof of my just imprisonment; but surely, sir, it cannot have such a retrospective force. I was as innocent as an unborn infant, as to the forbidden correspondence, until I had been unjustly distressed in prison. The promised protection of June 12th, being taken from me, I slighted the wretches, and all their military edicts: and I continue to do it most cordially.

Should you recover the papers referred to as sent in October and May, I am satisfied you will judge that I have maintained a manly spirit, under all my past oppressions. I hope you will be induced to believe that no fresh exertions of the scientific barbarity of those who hold me in duress, shall bring me to any conduct that

can be disgraceful to the patronage which I promise myself you will afford to, sir, your sincere admirer and suffering humble servant.

JAMES LOVELL.

Halifax, Provost's, June the 25th, 1776."

This letter from his manly and suffering fellow citizen, did not reach Mr. Lee in time to enable him to exert himself to procure the release of Mr. Lovell. Between this gentleman and Mr. Lee there began a warm friendship and correspondence from Mr. Lee's receipt of this letter which continued until their death. They had never seen each other until the return of Mr. Lee from France in the year 1781, although the terms of their letters written during the residence of Mr. Lee abroad, would induce a reader to suppose they had long been personally acquainted.

CHAPTER III.

Mr. Lee is appointed in Dec. 1775, secret Agent of Congress—Letter of the "Secret Corresponding Committee" of Congress, acquainting him of the appointment and the purpose of it—His interviews with the French Minister at London—He goes to France as secret Agent, in the spring of the year 1776—His interviews with Vergennes and Turgot—The Result of his Mission—In the fall of 1776, he is appointed a Joint Commissioner to the Court of France, with Dr. Franklin and Silas Deane—Letter to Lord Shelburne—Interesting Anecdote of Voltaire—Agency for the State of Virginia—His learned and political friends in France, Turgot, Adanson, Vergennes, Neckar, Breteuil, &c.—State of Affairs in America in the winter of 1776-7—Memorial on this subject, from the American Commissioners to the Court of France—Written by Mr. Lee—Note of the Commissioners to the same, touching the capture of an American vessel on the coast of France—Mr. Lee is appointed sole Commissioner to the Court of Madrid—Goes to Spain—Is desired by that Court not to proceed to Madrid—His letters to the Commissioners in Paris, from Victoria in Spain—Their Reply written by Dr. Franklin—The British Court remonstrates with that of Spain against the reception of Mr. Lee—His Correspondence on this subject—His Memorial to the Court of Spain on the subject of his Mission—Results of it—He returns to Paris—Is sent to Berlin as Commissioner to the Court of Prussia—Letter from Berlin to General Washington—Spanish Papers.

IN the month of November 1775, the congress appointed a committee for the purpose of secretly corresponding with the friends of the colonies, "in Great Britain, Ireland, and in other parts of the world."* The principal object of this committee was to ascertain the feelings and views of the courts of France and Spain, in regard to the dispute between the colonies and Great Britain; and how far they would be disposed to assist them in arms, ammunition and money, and eventually to form treaties of commerce and alliance with them. It was known that France had not been an idle spectator of the contest between Great Britain and her colonies. The congress was desirous of ascertaining more directly her views on this subject. To enable them to attain their object, the committee was authorized to appoint secret

* See Secret Journals, vol. i.

agents abroad to aid them in obtaining the most authentic information on every point on which it was important to have certain intelligence. The committee, which was styled "the Secret Committee of Congress," appointed Mr. Lee their secret agent in London. Of this appointment he was informed by a letter from that committee, which is here inserted from the original MS. in the handwriting of Dr. Franklin, with the signatures of Dr. Franklin, John Dickinson and John Jay, in their handwriting. This letter cannot fail to interest the reader, for it contains the views of congress, at an early and momentous period of the revolution, on subjects of the last importance.

PHILADELPHIA, Dec. 12th, 1775.

"Sir,—By this conveyance we have the pleasure of transmitting to you sundry printed papers, that such of them as you think proper may be immediately published in England.

We have written on the subject of American affairs to Monsieur C. G. F. Dumas, who resides at the Hague. We recommend to you to correspond with him, and to send through his hands any letters to us which you cannot send more directly. He will transmit them via St. Eustatia. When you write to him direct your letter thus, 'A Mons: Mons: C. G. F. Dumas, cher Mad. le V. Loder a la Hague,' and put it under cover, directed to Mr. A. Stucky, merchant, at Rotterdam.

Mr. Story may be trusted with any despatches you think proper to send us. You will be so kind as to aid and advise him.

It would be agreeable to congress to know the disposition of foreign powers towards us, and we hope this object will engage your attention. We need not hint that great circumspection and impenetrable secrecy are necessary. The congress rely on your zeal and abilities to serve them, and will readily compensate you for whatever trouble and expense a compliance with their desire may occasion. We remit you for the present £200.

Whenever you think the importance of your des-

patches may require it, we desire you to send an express boat with them from England, for which service your agreement with the owner there shall be fulfilled by us here.

We can now only add, that we continue firm in our resolutions to defend ourselves, notwithstanding the *big threats* of the ministry. We have just taken one of their ordnance storeships, in which an abundance of carcasses and bombs intended for burning our towns, were found.

With great esteem we are, sir, your most obedient humble servants.

B. FRANKLIN,
JOHN DICKINSON, } *Committee of*
JOHN JAY, } *Correspondence.*

Arthur Lee, Esq.

In the capacity of agent for the secret committee of congress Mr. Lee acted with a zeal yet more active than he had heretofore done, and with more assured confidence exerted himself in behalf of his country. Feeling that his new character as agent for so respectable a body as the continental congress gave more importance and imparted more weight to his efforts as its authority empowered him to enlarge them, he gave free course to his active and patriotic mind. From this time until he left England he devoted himself almost entirely to public concerns.

As soon as he received the foregoing letter from the secret committee, he sought and obtained several interviews with the French ambassador at the court of Great Britain, and urged upon the attention of his court the direct interest of France, in affording to the colonies the cheerings of her friendship, and even her aid. In consequence of these conferences with the French ambassador, the count de Vergennes, then the prime minister of Lewis the 16th, an able and enlightened statesman to whom the colonies were deeply indebted, sent a gentleman* in a confidential manner to Mr. Lee in London, to inform him "that the French court could not think of entering

* This person was Mons. Caron de Beaumarchais.

into a war with England; but that they would assist America by sending from Holland this fall £200,000 worth of arms and ammunition to St. Eustatia, Martinique or Cape Francois; that application was to be made to the governors or commandants of those places, by enquiring for Mons. Hortalez; and that on persons properly authorized applying, the above articles would be delivered to them." Mr. Lee immediately informed Mr. Storey, (the gentleman mentioned in the foregoing letter from the secret committee) who had been sent by that committee on a secret agency to France, Holland and England. This gentleman did not reach America with this important intelligence until several months afterwards.*

In the winter of 1776 Mr. Lee repaired to Paris by the direction of the secret committee of congress (to which committee that body had intrusted all its business with foreign agents and foreign courts), as their secret agent, to improve the favourable disposition of France towards the colonies. In this capacity he was received and was kindly and respectfully treated by Count Vergennes. The reader can well imagine with what earnestness and ability he availed himself of the opportunity now afforded him of placing the situation, character and concerns of his country in favourable and interesting views before the mind of Vergennes. Mr. Lee did not confine his exertions to the French ministry alone, but laboured to produce the same sentiments in the minds of distinguished and influential men in France who held no official stations; and to awaken a feeling of good will towards America in the French nation. To enable him to do this, he obtained the acquaintance of the class of men just alluded to, and wrote short and popular pieces in the journals of the day calculated to inform the public mind of the amount of the population of the colonies, the products of their country, and the commercial advantages they held out to France. There were at this

* See the first No. of the American Quarterly Review, which contains a very interesting article, "The Secret Journals of the old Congress." The writer of it had access to the *journal of the secret committee*, from which he has given extracts confirming the account here given of Mr. Lee's agency in the incipient and important negotiations of the United States with France.

time in France many men who had great influence on public opinion, though they held no offices under the government, and took little part in what might be termed practical politics. They obtained this influence from the fame of their learning and from their political writings. To them Mr. Lee found an easy access; and his literary and scientific acquirements proved of essential advantage (as well as a source of enjoyment in his intercourse with them), in gaining their attention to the affairs of America. Among these persons the celebrated Turgot held a conspicuous place. Mr. Lee cultivated his acquaintance, and presented to his enthusiastic mind the character of his countrymen as a brave people, warmly and obstinately attached to freedom; and to his judgment, the policy of France in assisting them in wresting from England their political independence. Impressed by the forcible representation of Mr. Lee, the Count de Vergennes in the spring of '76 presented to the king a memorial on American affairs, accompanied with reflections of Turgot on the subject of it. The policy advised by this memorial and enforced by the reflections of Mons. Turgot, was "to facilitate to the colonists the means of procuring in the way of commerce the articles and even the money which they needed; but without departing from neutrality, and without giving them direct succours." This aid, even thus furnished, was as much as Mr. Lee could anticipate at this time.

To carry into effect this plan of assisting the Americans, Vergennes directed the same secret agent whom he had sent to London in December '75 to wait on Mr. Lee, and inform him of the views and determination of the French court respecting America. Mr. Lee transmitted this highly important intelligence to the secret committee, through the same gentleman to whom he had communicated the message of Vergennes delivered to him in London in the preceding fall. This gentleman (Mr. Storey) reached Philadelphia, and imparted the information of the official promise of aid from the court of France to Dr. Franklin and Robert Morris, two of the committee, on the first of October 1776. The minutes or journals of this transac-

tion kept by the committee, are here taken from an extract from their journal, to be found in the article referred to in the ably conducted and useful periodical, the *American Quarterly Review*, page 132, &c. After stating the information received (as they say) from Mr. Arthur Lee through Mr. Storey, the two members of the committee just named thus proceed:

“PHILADELPHIA, October 1st, 1776.—The above intelligence was communicated to the subscribers, being the only two members of the committee of secret correspondence now in this city; and on our considering the nature and importance of it, we agree in opinion that it is our indispensable duty to keep it a secret, even from congress, for the following reasons:

1st. Should it get to the ears of our enemies at New-York, they would undoubtedly take measures to intercept these supplies, and thereby deprive us not only of these succours but of others expected by the same route.

2d. As the court of France have taken measures to negotiate this loan and succour in the most cautious and secret manner, should we divulge it immediately we may not only lose the present benefit, but also render that court cautious of any further connexion with such unguarded people, and prevent their granting other loans and assistance we stand in need of, and have directed Mr. Deane to ask of them; for it appears from all our intelligence they are not disposed to enter into an immediate war with Great Britain, though disposed to support us in our contest with them; we therefore think it our duty to cultivate their favourable disposition towards us, to draw from them all the support we can; and in the end their private aid must assist us to establish peace, or inevitably draw them as parties to the war.

3d. We find by fatal experience, the congress consists of too many members to keep secrets, as none could be more strongly enjoined than the present embassy to France, notwithstanding which, Mr. Morris was this day asked by Mr. Rees Meredith, whether Dr. Franklin and others were really going ambassadors to France, which

plainly proves that this committee ought to keep this secret, if secrecy is required.

4th. We are of opinion that it is unnecessary to inform congress of this intelligence at present; because Mr. Morris belongs to all the committees that can properly be employed in receiving and importing the expected supplies from Martinique, and will influence the necessary measures for that purpose; indeed, we have already authorized William Bingham, Esq. to apply at Martinique and St. Eustatius for what comes there, and remit part by the armed sloop Independence, Capt. Young, promising to send others for the rest.

Mr. Morris will apply to the marine committee to send other armed vessels after her, and also to Capè Francois, (without communicating this advice) in consequence of private intelligence lately received, that arms, ammunition and clothing, can now be procured at those places.

But should unexampled misfortune befall the states of America, so as to depress the spirits of congress, it is our opinion that on any event of that kind, Mr. Morris (if Dr. Franklin should be absent) should communicate this important matter to congress, otherwise keep it until part or the whole supplies arrive, unless other events happen to render the communication of it more proper than it appears to be at present."

The reviewer, in the article just referred to, adds to these minutes of the committee this observation: "This was signed by Dr. Franklin and Mr. Morris, and soon after approved by Richard H. Lee and Mr. Hooper, two other members of the committee."

From the spring of the year 1776 until the fall of it, Mr. Lee remained in Paris as a secret agent of congress. He then returned to England, and resided in London until the month of December, when having received an official notification of his appointment as a commissioner to France, he repaired again to Paris. His conduct in the capacity of a secret agent in France, had given great satisfaction to that body. He did not confine himself within the exact line of his instructions, as agent to the French court. He sought and improved the acquaint-

ance of the ambassadors of the different powers then in Paris ; and by turning their attention to the struggle of the British colonies in North America, and by giving them correct information concerning their affairs, he inspired them with respect and interest for his country. He particularly sought to engage the consideration of the Spanish ambassador, and through him, of his court. He had so far succeeded in gaining the serious attention of the Spanish minister, before the arrival of the commissioners from America, and before the appointment of a representative to the court of Spain, that he had actually proposed to that court to join France in secretly aiding the United States with money, arms and other warlike stores.

In the month of September (the colonies having declared themselves free and independent states in the preceding July) the congress proceeded to establish diplomatic intercourse with foreign nations, and to appoint commissioners to represent the United States, at those courts which they considered of the most importance and power. Mr. Lee was elected, with Silas Deane, Esq. as one of a joint commission to the court of France, with whom Dr. Franklin was afterwards joined. He was made acquainted with the honour thus conferred upon him, through a letter from the secret committee, which had been styled, since the declaration of independence, "Committee of Correspondence."

PHILADELPHIA, Oct. 23, 1776.

" Arthur Lee, Esq.

Sir,—By this conveyance we transmit to Silas Deane, Esq. a resolve of the honourable continental congress of delegates from the thirteen United States of America, whereby you are appointed one of their commissioners for negotiating a treaty of alliance, amity and commerce, with the court of France, and also for negotiating treaties with other nations, agreeably to certain plans and instructions of congress, which we have transmitted by various conveyances to Mr. Deane, another of the commissioners. We have requested him to give you immediate notice to join him, and on your meeting to deliver

this letter and lay before you all the papers and instructions, also to deliver you the resolve whereby you are appointed. We flatter ourselves from the assurance of our friends here, that you will cheerfully undertake this important business, and that our country will greatly benefit of those abilities and that attachment you have already manifested in sundry important services, which at a proper period shall be made known to those you wish.

This committee will think it proper to address all their despatches unto Mr. Deane, until they have certain advice that his colleagues have joined him, but the communication of them will be the same as if addressed to the whole.

We remain with much regard and esteem, sir, your most obedient, humble servants,

ROBERT MORRIS,
BENJAMIN FRANKLIN."

In the following letter Mr. Lee alludes to the promise of aid made to him by the court of France while he remained in London, and of which he had informed congress, through Mr. Storey. It conveys to congress his thanks for the honour they had done him, in terms of warm love for his country.

PARIS, Dec. 31, 1776.

"To the honourable committee of correspondence,

Gentlemen,—I had the honour of receiving your favour of the 31st Oct., announcing to me my appointment as one of the commissioners from the congress of the United States of America. I cannot express how much I am obliged to that most respectable body, for giving me an opportunity of showing how much I prefer the service of my country and her present cause, to every other pursuit and situation in life.

I had the happiness of joining Dr. Franklin and Mr. Deane the day after the arrival of the former at this place. We have employed every moment in preparing the way for fulfilling the purport of our mission. It is impossible to say yet in what degree we shall be able to accomplish our instructions and our wishes. The poli-

tics of Europe are in a state of trembling hesitation. It is in consequence of this that I find the promises that were made me by the French agent in London, and which I stated to you by Mr. Storey and others, have not been entirely fulfilled. The changing of the mode of conveying what was promised was settled with Mr. Deane, whom Mr. Hortalez found here on his return, and with whom all the arrangements were afterwards made. I hope you will have received some of the supplies long before this reaches you. Infinitely short as they are of what was promised in quantity, quality and time, I trust they will be of very material service in the operations of the next campaign. It is that to which, to use the expression of our arch enemy, we must look; and no exertions in preparing for it can be too great, because the events of it must be very decisive.

I have the honour to be, gentlemen, your very obedient servant,

ARTHUR LEE.

It will not much interrupt the continuity of Mr. Lee's occupations at the court of France, to introduce here a beautiful letter of Mr. Lee, written in reply to Lord Shelburne, who had given to the Abbé Raynal a letter of introduction to him. It may be proper to mention that Mr. Lee for several years before he left England, had enjoyed the friendship of that estimable nobleman, one of the earliest and steadiest friends of the colonies among the English politicians and ministers. They continued to correspond long after the war between their respective nations had ceased, and the independence of the United States had been acknowledged by Great Britain. The reader will find in Appendix, No. 10, and will peruse with no little pleasure, the letters of Lord Shelburne, (afterwards the Marquis of Lansdown) to Mr. Lee, on the subject of the federal constitution of the United States, which had been proposed to the people for adoption, and had become at the period when some of the letters of the marquis were written, a topic of anxious discussion by American statesmen.*

* The reader will find an interesting letter in the "Memoirs" of Mr. Lee, No. 2, of the Appendix, to Dr. Priestley, in which he gives the Dr., who had asked it,

PARIS, Dec. 23d, 1776.

"To the Right Honourable the earl of Shelburne.

My Lord,—A very few hours after my last letter to your lordship brought me the desire of my country, that I should serve her in a public character. Your lordship thinks too well of me, I hope, to suppose I could hesitate a moment. In fact almost the same minute saw me bid adieu perhaps forever to a country where I had fixed my fortunes, and to a people whom I most respected and could have loved. But the first object of my life is my country, the first wish of my heart is public liberty. I must see therefore the liberties of my country established, or perish in her last struggle.

In truth I have long despaired even of a struggle for liberty in England,—I will not insult Scotland with the idea. It is not the subtle Wedderburne, poisoning the fountain of public security; nor the ruthless Thurlow deliberately butchering the liberties of his country, that makes me despair; but—and yet perhaps the people only are not virtuous, and America may yet, with a sort of filial piety, reanimate her expiring constitution. Our pater patriæ,† with whom and Mr. Deane I am joined in power, is in good health and spirits. If fate will have it that America, as she has reared her temples and her altars to liberty, must furnish her victims too, I know not where she can find a sacrifice more respectable.

Should the event of this measure be found fatal to England, it is the perfidy of her ministers, which would never offer any thing that could be trusted, that compel it, and to which the consequences are justly imputable.

I beg your lordship to remember me as one who can never cease to have the most perfect esteem for you. I have communicated to the Abbé Raynal all the facts I could collect in answer to his questions. He will write to you soon.

his opinion of the character of Lord Shelburne. The Dr. had been solicited by his lordship to become the tutor of his eldest son.

† Dr. Franklin.

May I beg to be remembered to our friends in the college and to those out of it, who I hope will always do me the honour of remembering me,—Col. Barré, Mr. Dunning, Dr. Priestley, Dr. Price, &c. &c.

I have the honour of being your friend and humble servant,
ARTHUR LEE."

The two other commissioners having now joined Mr. Lee at Paris, they immediately commenced their conferences and negotiations with the court of France.* On the 5th January 1777, they presented to that court the following memorial.

"To his excellency Count de Vergennes,

The congress the better to defend their coasts, protect their trade, and drive off the enemy, have instructed us to apply to France for eight ships of the line, completely manned, the expense of which they will undertake to pay; as other princes of Europe are lending or hiring their troops to Britain against America, it is apprehended that France may if she thinks fit, afford our independent states the same kind of aid without giving England any first cause of complaint. But if England should on that account declare war, we conceive that by the united force of France, Spain and America, she will lose all her possessions in the West Indies, much the greatest part of that commerce which has rendered her so opulent, and be reduced to that state of weakness and humiliation she has by her perfidy, her insolence and her cruelty, both in the east and the west so justly merited.

We are also instructed to solicit the court of France, for an immediate supply of 20 or 30,000 muskets and bayonets, and a large quantity of ammunition and brass field pieces, to be sent under convoy. The United

* Mr. Lee often related an anecdote which occurred soon after the American commissioners arrived. Voltaire was then dangerously ill in Paris, where he shortly after died. He had warmly espoused the cause of the Americans. The commissioners requested to be permitted to wait on him, which Voltaire cheerfully granted. As they entered the room he raised himself feebly up in his bed, and in a momentary glow of enthusiasm, repeated some beautiful lines from Thompson's Ode to Liberty, commencing "Oh liberty, thou goddess ever bright," &c.

States engage for the payment of the arms, artillery and ammunition, and to defray the expense of the convoy. This application has now become the more necessary, as the private purchase made by Mr. Deane of those articles is rendered ineffectual, by an order forbidding their exportation.

We also beg it may be particularly considered that while the English are masters of the American seas, and can without fear of interruption, transport with such ease, their army from one part of our extensive coast to another, and we can only meet them by land-marches, we may possibly unless some powerful aid is given us, or some strong diversion be made in our favour, be so harassed and be put to such immense distress, as that finally our people will find themselves reduced to the necessity of ending the war by an accommodation.

The courts of France and Spain may rely with the fullest confidence, that whatever stipulations are made by us, in case of granting such aid, will be ratified and punctually fulfilled by the congress, who are determined to found their future character with regard to justice and fidelity on a full and perfect performance of all their present engagements.

North America now offers to France and Spain her amity and commerce. She is also ready to guaranty in the firmest manner to those nations all her present possessions in the West Indies, as well as those they shall acquire from the enemy, in a war that may be consequential of such assistance as she requests. The interests of the three nations are the same. The opportunity of cementing them and of securing all the advantages of that commerce which in time will be immense, now presents itself. If neglected it may never again return. And we cannot help suggesting that a considerable delay may be attended with fatal consequences.*

BENJAMIN FRANKLIN,

SILAS DEANE,

ARTHUR LEE,

Commissioners of the Congress of N. America."

* On the paper from which this memorial is copied, Mr. Lee has endorsed, "presented to Count Vergennes, through Mons. Girard, Jan. 5th, 1777."

In the month of December 1777, Congress resolved to appoint commissioners to the courts of Vienna, Spain, Prussia, and the Grand Duke of Tuscany. In the month of May, Mr. Lee was appointed sole commissioner to the court of Spain, by virtue of the following resolve.

“Resolved, That a commission be made out and sent to Arthur Lee, Esq. empowering him in behalf of the United States, to transact such business at the court of Spain as shall be intrusted to him by congress, agreeably to the instructions that may be given him, and transmitted by the Committee of Foreign Affairs.”* At the same time William Lee, Esq. a brother of Arthur Lee, who had been acting as an agent of the colonies at the Hague, was appointed commissioner to the courts of Vienna and Berlin, and Ralph Izard, Esq. was appointed in the same capacity to the court of the Grand Duke of Tuscany. These appointments are here mentioned because many of the letters of both these gentlemen are still preserved among the MSS. of Mr. Lee, and are too interesting and too important to the history of the United States, to be omitted in his correspondence. They will be found in No. 7 of the Appendix. The commission to Mr. Lee may be found in the second volume of the secret journals of the old congress, p. 46.

The commissioners to the court of France were furnished with the plan of a treaty to be presented to that court accompanied with detailed instructions, which will be seen in No. 4 of the Appendix.(a) In pursuance of their instructions they immediately proposed to form a treaty of alliance and commerce with France. But France had suffered so severely in the late war with Great Britain, that she declined for the present entering into any sort of treaty with the United States, lest it should be considered by England a violation of neutrality, and a cause of war against France. The commissioners however pressed the subject from time to time on the attention of the French ministry. The utmost good will was entertained by the king and his cabinet towards the Unit-

* See Secret Journals, &c. vol. ii. p. 44.

ed States. They were furnished with a large supply of warlike stores, and a loan of money was granted. Every thing was done with alacrity which could be done with secrecy to aid the United States in carrying on the war. The cause of America was exceedingly popular with the French people. It became a theme of enthusiastic applause with their orators and poets, and a subject of interest and reflection to their practical and theoretic statesmen.

In reply to the foregoing memorial the commissioners received from the king a communication explaining his views in regard to the United States. They were such as have been stated. To this communication the commissioners replied as follows.

“We thank Mons. Girard for the polite and explicit manner in which he has communicated his majesty’s message.

We beg to return our most grateful sense of the gracious intentions which his majesty has had the goodness to signify to our states, and to assure his majesty that we shall ever retain the warmest gratitude for the substantial proofs he has given us of his regard, and that we will endeavour in due time to impress our constituents with the same sentiments.

We feel the strength of the reasons his majesty has been pleased to assign for the conduct he means to hold ; and the magnanimity of his motives. We beg leave to assure his majesty that we shall at all times and in all things endeavour to conform ourselves to the views he has opened for us, as nothing is farther from our intentions than to precipitate his majesty into any measures which his royal wisdom and justice may disapprove. And if in any thing we should contravene those purposes, we shall always be happy and ready to amend it according to the advice and direction of government.*

Signed,

BENJAMIN FRANKLIN,
SILAS DEANE,
ARTHUR LEE.

Paris, January 14th, 1777.”

* This reply is taken from the original MSS. written by Mr. Lee.

The reader will recollect how dark and forboding were the prospects of the United States in the winter of 1777. The successes of the British armies already in America, and the increasing vigour of the ministry in taking measures to prosecute the war by means of additional troops from England and Germany, had caused the deepest dejection in the minds of the people, and had disappointed the courts of Europe most friendly to us. The court of France was operated upon by this state of things, and acted with more and more caution towards the United States. The commissioners however did not despond; but redoubled their efforts to enlist France actively and openly in our behalf. They urged upon the French ministry that the distressed and threatened condition of their country made it more and more the policy of France to take part with North America *at once*, in order to save the states and rescue them forever from the dominion of Great Britain; and thus secure an opportunity which might now be lost of increasing the strength, safety and commerce of France. The following interesting memorial presenting and enforcing these views and arguments of the commissioners, was drawn up by Mr. Lee, approved by his colleagues, and presented by him to Count de Vergennes. The perilous condition of the states of Maryland and Virginia is strongly represented.

“PARIS, February 1st, 1777.

Messrs. Franklin, Deane and Lee, ministers from the congress of the United States, beg leave to represent to his excellency the Count de Vergennes, that besides the general alarming accounts of the success of the English against their country they have just received authentic intelligence from England that eight thousand men, chiefly Germans, under the command of General Burgoyne, are to be sent early in the spring to America, and to be employed, with some ships of war, in the invasion of Virginia and Maryland.

That if not by some means diverted from their design it will be in their power to destroy a great part of those states, as the houses and estates of the principal inhabi-

tants are situated on the navigable waters, and so separated from each other as to be incapable of being defended from armed vessels conveying troops, the place of whose landing cannot be foreseen, and consequently force cannot be assembled in all places sufficient to oppose them.

That great danger is also to be apprehended from the blacks of those states, who, being excited and armed by the British, may greatly strengthen the invaders, at the same time that the fear of their insurrection will prevent the white inhabitants from leaving their places of residence and assembling in such numbers for their own defence against the English as otherwise they might do.

That the greatest part of the tobacco of those states is probably collected as usual in the warehouses of the inspectors, which are also situated on navigable waters, and will be liable to be taken and destroyed by the invaders; that the destruction of these two states probably may make a great impression on the people in the rest, who, seeing no prospect of assistance from any European power, may be more inclined to listen to terms of accommodation.

That the supplies of arms and ammunition of war which they have been made to expect from France, having been by various means delayed and retarded, are not likely to arrive before the commencement of the next campaign, and may perhaps be despaired of; especially if those supplies are to be carried first to the French islands.

That notwithstanding the measures taken to convince the court of Britain that France does not countenance the Americans, that court, according to our information, believes firmly the contrary; and it is submitted to the consideration of your excellency, whether, if the English make a conquest of the American states, they will not take the first opportunity of showing their resentment, by beginning themselves the war that would otherwise be avoided; and perhaps beginning it as they did the last, without any previous declaration.

That upon the whole, we cannot on this occasion omit expressing our apprehensions, that if Britain is now suf-

ferred to recover the colonies and annex again their great growing strength and commerce to her own, she will become in a few years the most formidable power, by sea and land, that Europe has yet seen, and assuredly, from the natural pride and insolence of that people, a power to all the other states the most pernicious and intolerable.

We would therefore, with all deference submit it to the wisdom of his majesty and his ministers, whether, if the independence of the United States of America, with the consequent diminution of British power, and the freedom of commerce with them, be an object of importance to all Europe, and to France in particular, this is not the proper time for effectual exertions in their favour; and for commencing that war, which can scarcely be much longer avoided, and which will be sanctified by this best of justifications, that a much injured and innocent people will thereby be protected and delivered from cruel oppression, and secured in the enjoyment of their just rights; than which, nothing can contribute more to the glory of his majesty and of this nation.

Signed,

BENJAMIN FRANKLIN,
SILAS DEANE,
ARTHUR LEE.

To his excellency the Count de Vergennes."

The author has found among the MSS. of Mr. Lee, a paper with a note attached to it, both signed by the three commissioners, and containing private resolutions for their own conduct. The note is in the hand-writing of Mr. Lee. It contains sentiments of devotion to their country most honourable to the commissioners, and touching to the heart of an American reader.

"PARIS, Feb. 2, 1777..

We the commissioners plenipotentiary from the congress of the United States of America are unanimously of opinion, that if France or Spain should conclude a treaty of amity and commerce with our states, and enter into a war with Great Britain in consequence of that, or

of open aid given to our states, it will be very right and proper for us, or in the absence of the others, for any one of us, to stipulate and agree that the United States shall not separately conclude a peace, nor aid Great Britain against France or Spain, nor intermit their best exertions against Great Britain during the continuance of such war. Provided always, that France and Spain do on their part enter into a similar stipulation with our states.

BENJAMIN FRANKLIN,
SILAS DEANE,
ARTHUR LEE."

(Note attached to the foregoing paper.)

"PARIS, Feb. 5, 1777.

It is further considered that in the present perils of the liberties of our country, it is our duty to hazard every thing in their support and defence; therefore resolved unanimously, that if it should be necessary to the attainment of any thing in our best judgment essential to the defence and support of the public cause, *that we should pledge* our persons, or hazard the censure of the congress, by exceeding our instructions, we will for such purpose most cheerfully resign our personal liberty or life.

Signed,

BENJAMIN FRANKLIN,
SILAS DEANE,
ARTHUR LEE."

About this time a vessel belonging to the United States was captured by a British armed ship, so near to the French coast as in the opinion of the commissioners to violate the neutrality and insult the dignity of France. They received at the same time information from England, that a fleet had been ordered to cruise near the French coast, in order to intercept some merchantmen laden with tobacco for the use of congress, which had sailed from the United States. To prevail on this purpose, as well as to urge France to interfere, and if pos-

sible to bring her into collision with Great Britain, (which was, it is manifest, the secret object and wish of the commissioners) Mr. Lee drew up a communication to the Count de Vergennes, on the subject of the capture of the American vessel, and the threatened danger to the tobacco ships. The author finds the MS. in the hand-writing of Mr. Lee, endorsed "drawn up by A. Lee." It is too interesting to be omitted.

"The commissioners from the United States of America desire to represent to his excellency Count Vergennes, that they have received authentic information of a vessel belonging to the states having been taken by the Culloden ship of war, belonging to his Britannic majesty, close to the coast of France; and that the same ship of war chased another vessel belonging to the states so near to the French shore, as to be put in imminent danger of running aground.

They have been farther informed, that in consequence of intelligence given by the mate who lately betrayed an American ship into the enemy's hands, that a large fleet from Maryland and Virginia, laden with tobacco, might soon be expected upon the French coast, the government of Great Britain have ordered an additional number of ships of war to cruise there in order to intercept them; and have given encouragement to individuals to fit out small privateers, which may run in nearer shore than is safe for large ships.

The commissioners therefore pray that his majesty will signify to the court of Great Britain his sense of the impropriety of such proceedings, and his resolution to maintain the neutrality of his coast; and that ships of war be immediately ordered to cruise for that purpose.

The loss of those tobacco ships would be not only a great loss to the states and detrimental to the commerce of France, but would disable them to fulfil their contracts with the Farmers General, so punctually as is necessary, and as they desire. They are therefore more earnest in wishing that no moment may be lost in rendering the coast of France secure, in the navigation of it, from the intended depredation of Great Britain.

The commissioners submit it to the consideration of his majesty, whether, agreeable to the laws of neutrality, the American vessel taken by the Culloden British ship, Capt. Balfour, upon the coast of France, ought not to be demanded of the British court, to be restored to those who claim her.

BENJAMIN FRANKLIN,
SILAS DEANE,
ARTHUR LEE.

To his excellency Count Vergennes."

In pursuance of the resolution of congress to appoint commissioners to the several courts before mentioned, Dr. Franklin had been commissioned to negotiate with Spain previously to the appointment of Mr. Lee to that court. It has been stated that while he was acting as the secret agent of congress at Paris, he had held several conferences with the Spanish ambassador ; and had succeeded so far in exciting an interest in his mind for the people of the United States, as to prevail on him to represent to his court their situation, and the desire of congress to establish a friendly understanding with Spain. He had succeeded in obtaining a promise from the Spanish court of secret assistance in money. Having informed congress of the friendly disposition of Spain, the commissioners had been instructed to cultivate it. In order more effectually to do this they considered it of importance to depute one of their body to Madrid. Mr. Lee was selected for this mission ; and had left Paris, and was on his way to Spain before the arrival of the despatches from congress acquainting them of the appointment of Dr. Franklin, a commissioner to the court of Spain.

Mr. Lee left Paris in February 1777, and proceeded to Victoria and thence to Burgoss. Dr. Franklin declined the appointment to Spain, and acquainted congress with his reasons. Mr. Lee was afterwards, on the 1st May of that year, appointed sole commissioner to Spain, and by a resolution of congress this appointment was declared not to interrupt or discontinue his powers and duties as a joint commissioner to the court of France.

As the condition and the future interests of the United States rendered the countenance and aid of the great powers of Europe of vital importance to them ; and as their relations with the court of Spain became important and difficult towards the close of the war and for some years after it, a selection from Mr. Lee's numerous papers on Spanish affairs in this place and in the Appendix of this work, cannot fail to interest the reader and furnish valuable matter for future history.* On Mr. Lee's way to Spain he wrote the following letter to the corresponding committee of congress.

“ BOURDEAUX, February 18th, 1777.

Gentlemen,—On my arrival here on my way to Madrid, I found a letter dated Feb. 2d, from a confidential correspondent, which contains the following passages. ‘ Ten thousand Germans are already engaged, and ships sent to convey them ; the number of British cannot exceed three thousand, and those very indifferent ; but much is expected from their being sent early. Boston is certainly to be attacked in the spring. Burgoyne will command. Howe will probably attack Philadelphia. The government expect great advantage from dissensions in Pennsylvania.’

Finding that our commerce here labours under great difficulties from the heavy duties laid on fish, oil, wax, &c., I have directed an account of it to be transmitted to your commissioners at Paris, together with an estimate of the imports and exports during the last year from the United States, that they may be the better enabled to negotiate an alleviation or removal of the duties, which were originally intended to discourage the British commerce.

I had the honour of stating to you a year ago that tobacco was the most weighty political engine we could employ with the French court. It is absolutely

* See Appendix, No. 7. Mr. Lee received during the whole war constant information of what was going on in England, from two gentlemen who were native Americans, but who could not leave England. They were Messrs. Edmund Jennings and ——— Brigdens. They wrote under feigned names. Their letters will be found in Appendix, No. 7.

necessary to the Farmers General, and the Farmers as absolutely necessary to government.

Mr. Delap informs me that there are several more cargoes belonging to the congress, in the hands of merchants in Spain, the proceeds of which cannot be obtained. I have written to Mr. Morris, at Nantz, begging the favour of him to send me a proper account of them, that I may complain of those merchants at the court of Spain. There is a ship at Nantz totally deserted by her crew, which has been lying there many months unregarded, at an expense to the congress of 100 dolls. per month. I have advised Mr. Sweihäuser, to consult with Mr. Morris about selling her, which ought to have been done as soon as her crew quitted her.

The ship too, which was intrusted to Mr. Myrkle, is lying here at a considerable charge, and no appearance of her return.

I enclose you Capt. Cleveland's account of Mr. Myrkle's conduct, which he wishes may be offered in his justification. I have referred him to Dr. Franklin for advice.

I have the honor of being your obedient servant,

ARTHUR LEE.

To the Honorable Committee of Correspondence, Philadelphia."

A few days after, on his arrival at Victoria, in Spain, Mr. Lee wrote to the commissioners at Paris, as follows.

"VICTORIA, February 26th, 1777.

To the Honourable Commissioners, Franklin and Deane,
at Paris.

Dear Sirs,—I am thus far safe on my journey, which by the spur of six pistoles more, I am to finish two days sooner than was at first agreed. Therefore, if no accident happens, I shall reach my destination the 6th of next month. In the committee's letter of the 23d October to me, it is said, 'we are to negotiate with other nations agreeable to certain plans and instructions transmitted to Mr. Deane.' I have none with me, nor do I remember to have seen any but those which relate ex-

pressly to France, and that plan has already been transmitted where I am going.* Nothing is more likely than my being asked what I have to propose particularly relative to this meridian. This question was put to us on our first visit to ————†. But the same answer will not serve here. I must entreat you therefore to favour me with your ideas upon this particular. What alteration would you think proper in that plan, when applied to this country? It is best to be prepared for every favourable moment that may offer. This must plead my pardon for urging as speedy an answer as possible. It would grieve me to be put to the alternative of letting a favourable opportunity pass unembraced, or of hazarding a measure of so much moment to the public, upon my weak judgment, and very limited information.

With my best wishes for your health and success, and begging to be remembered kindly to our friends, I have the honour to be with the greatest esteem, dear sirs, your obedient servant,
ARTHUR LEE."

To this letter Mr. Lee received the following very interesting reply from Dr. Franklin.‡

"PASSY, March 21st, 1777.

Dear Sir,—We have received your favours from Victoria and Burgoss.

The congress sitting at Baltimore despatched a packet to us the 9th January, containing an account of the success at Trenton and subsequent events to that date, as far as they had come to knowledge. The vessel was obliged to run up a little river in Virginia to avoid some men of war, and was detained there 17 days, or we should have had these advices sooner. We learn however through England, where they have news from New-York to the 4th February, that in Lord Cornwallis' re-

* Madrid.

† The Count d' Aranda, the Spanish ambassador. Names are avoided for fear of some one's peeping into the letter.

‡ This letter is in the MS. hand-writing of Dr. Franklin.

treat to New Brunswick two regiments of his rear guard were cut to pieces ; that General Washington having got round him to Newark and Elizabethtown, he had retired to Amboy in his way to New-York ; that General Howe had called in the garrisons of Fort Lee and Fort Constitution, which were now possessed by our people ; that on the New-York side, Forts Washington and Independence were retaken by our troops, and that the British forces at Rhode Island were recalled for the defence of New-York.

The committee in their letters mention the intention of congress to send ministers to the courts of Vienna, Tuscany, Holland, and Prussia. They also send us a fresh commission, containing your name instead of Mr. Jefferson's, with this additional clause, "and also to enter into and agree upon a treaty with his most Christian majesty, or such person or persons as shall be by him authorized for that purpose, for assistance in carrying on the present war between Great Britain and these United States." The same clause is in a particular commission they have sent me to treat with the court of Spain, similar to our common commission to the court of France ; and I am accordingly directed to go to Spain ; but as I know that choice was made merely on the supposition of my being a little known there to the great personage for whom you have my letter, (a circumstance of little importance) and I am really unable through age to bear the fatigue and inconveniences of such a journey, I must excuse myself to congress, and join with Mr. Deane in requesting you to proceed in the business on the former footing till you can receive a particular commission from congress, which will no doubt be sent as soon as the circumstances are known.

We know of no plans or instructions to Mr. Deane but those you have with you. By the packet indeed we have some fresh instructions which relate to your mission, viz :—that in case France and Spain will enter into the war, the United States will assist the former in the conquest of the British sugar islands, and the latter in the conquest of Portugal, promising the assistance of six

frigates manned, of not less than 24 guns each, and provisions equal to 2,000,000 dollars ; America desiring only for her share, what Britain holds on the continent ; but you shall by the first safe opportunity have the instructions at length. I believe we must send a courier.

If we can we are ordered to borrow £2,000,000 on interest. Judge then what a piece of service you will do if you can obtain a considerable subsidy, or even a loan without interest.

We are also ordered to build six ships of war. It is a pleasure to find the things ordered which we were doing without orders.

We are also to acquaint the several courts with the determination of America to maintain at all events our independence. You will see by the date of the resolution relating to Portugal as well as by the above that the congress were stout in the midst of their difficulties. It would be well to sound the court of Spain on the subject of permitting our armed ships to bring prizes into her ports, and there dispose of them. If it can be done openly, in what manner we can be accommodated with the use of their ports, or under what restrictions ? This government has of late been a little nice on that head ; and the orders to L'Orient have occasioned Captain Weeks some trouble.

We have good advice of our friend at Amsterdam ; that in the height of British pride on their summer success, and just before they heard of any check, the ambassador, Sir Joseph York, had been ordered to send a haughty memorial to the states, importing that notwithstanding their promises to restrain their subjects from supplying the rebels, it was notorious that those supplies were openly furnished by Hollanders at St. Eustatia ; and that the governor of that island had returned *from his fort the salute of a rebel ship of war with an equal number of guns* ; that his majesty justly and highly resented these proceedings, and demanded that the states should by more severe provisions restrain that commerce ; that they should declare their disapprobation of the insolent behaviour of their governor, and punish him by an immediate recall ; otherwise his majesty, who knows

what appertains to the dignity of his crown, would take proper measures to vindicate it ; and he required an immediate answer. The states coolly returned the memorial with only this answer, that when the respect due to sovereigns was not preserved in a memorial, it ought not to be expected in an answer. But the city of Amsterdam took fire at the insolence of it, and instructed their deputies in the states to demand satisfaction by the British court's disavowal of the memorial, and the reprimand of the ambassador. The states immediately demanded a number of men-of-war ships to be in readiness. Perhaps since the bad news has come, England may be civil enough to make up this little difference.

Mr. Deane is still here. You desire our advice about your stopping at Burgoss. We are of opinion that you should comply with the request. While we are asking aid, it is necessary to gratify the desires and in some sort comply with the humours of those we apply to. Our business now is to carry our point. But I have never yet changed the opinion I gave in congress, that a virgin state should preserve the virgin character, and not go about suitering for alliances, but wait with decent dignity for the applications of others. I was overruled ; perhaps for the best.

With the greatest esteem I am ever dear sir your most obedient humble servant,

BENJAMIN FRANKLIN.

Arthur Lee, Esq."

The court of London having heard of the appointment of a deputy to the court of Spain, lost no time in endeavouring to deter that court from receiving him, or in any manner countenancing the United States. Spain, as well as France, had suffered severely in the last war with England, while her power was wielded and her councils guided by the splendid and energetic genius of the elder Pitt. She was therefore not only cautious but even timid in her course towards the United States. The English ambassador had remonstrated against the reception of Mr. Lee at Madrid as commissioner from the United

States while he remained at Burgess. The Spanish court, somewhat awed by this remonstrance, desired Mr. Lee not to proceed farther, and signified that it would be preferred he should return to Paris. It did not however suspend communications with him ; but the Spanish minister at Paris was instructed to continue on the most friendly footing with the American commissioners. The following note was addressed to the Spanish minister at Madrid, in reply to the communications making known to Mr. Lee the remonstrance of the British court, and the desire of his catholic majesty that he should not proceed to Madrid.

“ BURGESS, March 5th, 1777.

Upon maturely weighing what his excellency the Duke de Grimaldi had the goodness to communicate from his majesty, Mr. Lee feels himself obliged (notwithstanding his earnest wish to coincide with his majesty's views, and conciliate his amity towards the United States) to beg his attention to the following considerations.

1st. Were it the question now, whether Mr. Lee being at Paris should come to Madrid, he might do it or not without any material consequence ; but it being known that he was deputed upon that business and on his way, his return without going to Madrid will beget an opinion that Spain has renounced the states of America, in refusing to receive their deputy. For the fact of his return being notorious, and the reasons for it necessarily secret, it will make the same impression as if no such reasons existed.

This opinion would very materially injure the credit of the United States in France and Holland ; and it might have a very unfavourable effect in America, for it must be considered that the fact will reach America by a thousand channels, while the reasons for it can pass through one only, and that too from the nature of things in obscure hints.

Mr. Lee therefore, hopes his majesty will weigh these reasons before he finally determines upon a measure

which may be deemed ungracious to the congress and be highly detrimental to their interests.

2d. Mr. Lee cannot conceive upon what pretence of reason, right, or law, the English ambassador, or his court can take exception to his majesty's receiving a deputy from the United States, since the right of a neutral court to do so is clearly established by the unquestioned practice of all times, and recognized by the best writers on the laws of nations. Neither the English ambassador at Paris nor his court, have taken any exception to it there.

3d. That it will be so far from preventing the execution of any gracious intentions his majesty may have of assisting the states, that the best and safest channel of conveying that aid is one from which Mr. Lee's being at Madrid will rather divert, than direct the attention of England. Next to an immediate declaration, a supply of money, to support the credit of the states and pay for what is necessary, is the most effectual aid. The support of this contest calls upon congress for very considerable funds. The means of supporting them by the export of their produce are slow and uncertain. This obliges them to have recourse for assistance to the powers that are friendly to their cause, among whom they have the greatest reliance upon his majesty of Spain. This purpose will be answered by his majesty's ordering his ambassador at the Hague to authorize Sir George Grand of Amsterdam to pay the sum destined to this use, to the order of Benjamin Franklin, Silas Deane, and Arthur Lee. Sir G. Grand is fixed upon as one who has been already trusted by the court of France in this business, and on whose attachment we can depend.

Mr. Lee must beg leave to await his majesty's pleasure at Burgoss or Victoria, not at Bayonne, because he is persuaded upon reflection that he should incur the highest displeasure of his constituents, if he were to leave Spain without a definite answer to the objects of his mission.

ARTHUR LEE,

Commissioner Plenipotentiary from the
Congress of the U. S. of America.

To his excellency the Duke de Grimaldi."

Mr. Lee was finally permitted to proceed to Madrid. The author has the original passports from the king of France and from the Spanish minister, Count d'Aranda, with the autographic signatures of Louis the 16th, and his minister Vergennes, and of the Count d'Aranda. They will be found among the MSS. of Mr. Lee, which are deposited, as the reader has been informed, in the library of the university of Cambridge.

While Mr. Lee remained at Burgoss corresponding with the Spanish minister on the subject of his proceeding to Madrid, he addressed to his court a memoir, representing "the present state of the dispute between America and Great Britain." It was written to give force to his arguments for the propriety and policy on the part of Spain, of receiving a commissioner from the United States, and entering into a diplomatic intercourse with them. It is a striking specimen of the diplomatic skill and ability of Mr. Lee. It was composed by him in the Spanish language. The author has the original MS. in that language, with the translation by Mr. Lee which is here used.

"To his Excellency the Duke de Grimaldi.

The present state of the dispute between America and Great Britain does not seem to be so fully understood as to render a clear representation of it unnecessary.

America has declared herself independent: and has defeated all the efforts of Great Britain to reduce her during two campaigns. In this resistance she has stood hitherto alone and unassisted. Her infant and unprepared situation has been compensated by her ardour, her indignation, and her enthusiasm.

Great Britain however is determined to redouble her efforts to make this campaign decisive of the fate of America. In this situation America offers that commerce and friendship, which she has withdrawn from Great Britain, to France and Spain. This offer ought to be deemed of double value, because it will take from their hated rival and insolent foe, what it gives to them. It is therefore taken for granted that this is an object of

the first magnitude, and worthy of the highest attention of both these courts.

It is also taken for granted, that Spain and France do not wish Great Britain should prevail in this contest; or regain America by conquest or conciliation. There remains therefore but this single question, whether it be more politic for the two powers to accept the proffered alliance and declare immediately; or await the event of the next campaign.

To judge of this it will be necessary to consider what may be the probable event of the next campaign. As Great Britain has resolved to put forth her utmost strength, it is probable that the event will be either the total destruction of America, or an accommodation founded upon a mutual conviction of each other's strength. And this accommodation must be hastened by America being left destitute of any material assistance from Europe.

It is manifest that the neutrality of France and Spain leaves the field open to the operation of the British force, and to the production of one of those events, either of which must be highly prejudicial to both nations, and advantageous to their enemy.

If Great Britain should be victorious, America will become a powerful instrument in her hands to be wielded at her will against these countries; and that it will not remain long unemployed no one will doubt who knows that the court of Great Britain is well informed of the countenance at least given to what they call a most dangerous rebellion, and that the head of that court is of a temper that never forgives nor forgets.

If an accommodation should produce a reunion the same advantages will be lost; and almost the same consequences are to be feared. The end of the campaign cannot, therefore, promise so favourable a moment for the interposition of France and Spain as the present; and in all human conjecture it will then be fruitless.

In truth what moment can be wished more favourable than the present, when Great Britain is so equally matched by what were her colonies, that the scales hang doubt-

nor can it be que
ce or Spain, an
ake contested that the interposition of
The and much more of both, would make
that of America decidedly preponderate and separate her
from Great Britain forever. And what object can be of
more importance than to deprive her of this great and
growing source of her commerce, her wealth, her marine,
and her dominion.

There is nothing the court of Great Britain is more persuaded of, than that the loss of America would be the inevitable consequence of the war in Europe; nor is there a man in the nation, who is ignorant of it. Hence it is that the king finds himself obliged in all his speeches to assure his parliament of the tranquillity of Europe, that they may be emboldened to support his war against America. Hence too it is that they have laboured so much to prevent a rupture between Spain and Portugal, and have at length renounced the latter. It is therefore most certain that Great Britain would endure any insult short of an open and outrageous act of hostility, rather than engage in an European war during her contest with America.

During the last war America contributed 12,000 seamen and 20,000 troops to the assistance of Great Britain. These are now tripled against her. The commerce of America, according to the declaration of Mr. Pitt who conducted the last war, carried Great Britain triumphantly through it. The full tide of that commerce is now turned against her. From America all the expeditions against the islands of Spain and France were then supplied. Now those supplies are all ready to assist in seizing her islands. Deprived of all those aids which ministered to her success and her triumphs during the last war, what could prevent her now from experiencing the bitter reverse of her former fortune. What policy can withhold two sovereigns whose prosperity is incompatible with her power, to forego such an opportunity of humbling her as may never return.

If Great Britain should be again united to America by conquest or conciliation, it would be in vain to menace her with war. America has been felt like Hercules in

his cradle. Great Britain knit the highest attention & strength would reign the irresistible of Europe. This then is the moment in which France and Spain may clip her wings, and pinion her forever. One of the most respectable bodies in England told their sovereign some two years since with a kind of prophetic spirit, "that his ministers were precipitating his dominions into a situation in which their existence would depend upon the forbearance of their enemies." This situation is now certainly ensured; the rest as certainly remains in the arbitration of France and Spain.

ARTHUR LEE,

Commissioner Plenipotentiary from the
Congress of the U. S. of America.

Burgoss, March 6th, 1777."

The only instructions given by congress to Mr. Lee were those contained in general terms in his commission. He drew up the plan of a treaty to be presented to the Spanish court. The original draught of this plan is in the possession of the author. They forcibly illustrate the accomplishments of Mr. Lee as a statesman and diplomatist. In No. 3 of the Appendix many of his papers on Spanish affairs will be found. The reader will read among them with interest a letter of Mr. Lee to Count Florida Blanca, then the prime minister of the Spanish court, giving him an account of the "late proceedings of the British in the southern parts of the United States, with suggestions of the interest which Spain had in them." There will be found a friendly reply from the Spanish minister.

Mr. Lee was at length permitted to proceed, as it has been mentioned, to Madrid. He there exerted all the efforts which skill and ingenuity could suggest to induce the Spanish court to engage in our cause. The views of its policy however led that court to pursue a course of great caution and secrecy. The commissioner was assured of the good will of the king and nation, and partial and ambiguous promises were made of joining France in giving the United States aids of money and arms. He was per-

to make contracts for warlike stores with Spanish
 mts. The reader will find in No. 4 (b) of the Ap-
 pendix, throughout the "selections" which have been
 from a journal of Mr. Lee kept by him while he
 remained in France, a frequent recurrence to the relations
 and transactions between the United States and Spain.*
 Many of his letters to his friends and to the correspond-
 ing committee of congress, the last of which will be
 found in the Appendix, relate to our affairs with
 Spain from the year 1777 until Mr. Lee's return to
 America.

The residence of Mr. Lee at Madrid, though it result-
 ed in no open or definite assistance, was not however un-
 attended with essential service to the United States. He
 gave the ministry and public men of Spain accurate in-
 formation of the character, condition and prospects of the
 American people, which produced respect and cordiality
 for them. He brought back to Paris evidences of this re-
 sult, and procured such instructions from the court of
 Spain to its minister at Paris, as kept up a close and inti-
 mate intercourse between him and Mr. Lee, and finally
 enabled him to succeed in obtaining a large loan from the
 Spanish government. In the spring of 1777 Mr. Lee
 returned to Paris and resumed his labours as one of the
 commission to France, his powers in which had not been
 superseded by his commission to Spain.

During the early part of the year 1777 the French court
 resisted all the efforts of the American commissioners to
 obtain from it any open or avowed assistance; or to do
 any public act which could be construed by Great Britain
 into an act of recognition of the independence of the
 United States, or of a national alliance with them. Hence
 it was that the commissioners had thought it well to divide
 their labours, and make similar efforts to enlist other pow-
 ers in our behalf. On Mr. Lee's return from Spain they
 turned their attention to Prussia, with whose minister
 they had already corresponded. In the spring of 1777 Mr.
 William Lee, who was then acting as agent of congress

* Various curious and interesting papers will be found in No. 4 (c) App. in rela-
 tion to French affairs, which could not be systematically embodied in this memoir.

in Holland, was appointed commissioner to the court of Berlin. As our commercial and financial concerns with Holland were of great importance and magnitude, Mr. Lee consulted the commissioners at Paris on the propriety of his remaining in Holland, and proposed that one of them should repair to Berlin in his stead. Upon consideration it was determined that the interests of the United States required Mr. William Lee to remain in Holland, while it was equally apparent that they required some immediate correspondence with Prussia. Without waiting to consult congress (for at this time many months elapsed before they could receive answers to their communications from America) and relying on its acquiescence, it was resolved that Arthur Lee should repair to Berlin in the room of his brother, and carry with him the commission and instructions intended for him.*

There were three leading objects to be gained at present, by the mission of Mr. Lee to Berlin; the establishment of commercial intercourse between Prussia and the American states; the prevention of any assistance from Prussia to Great Britain, in procuring German auxiliaries, and the passage of such as she might obtain from the petty princes of Germany, through the dominions of Prussia; and permission to purchase warlike stores from Prussian subjects.

According to the wishes and instructions of Messrs. Franklin and Deane, Mr. Lee left Paris about the 1st June 1777, for Berlin. Shortly after his arrival at this capital, he wrote the following interesting letter to General Washington.

"BERLIN, June 15, 1777.

To his excellency General Washington.

Dear Sir,—It has been with uncommon satisfaction that I have seen you in a situation in which I long hoped you would be, if we were forced to dispute the great question, which in my own opinion I was satisfied would happen. I never forgot your declaration when I had the

* See Secret Journals, p. 45.

pleasure of being at your house in 1768, "*that you were ready to take your musket on your shoulder whenever your country called upon you.*" I heard that declaration with great satisfaction; I remember it with the same, and have seen it verified to your immortal honour and the eminent advantage of the illustrious cause in which you are contending.

I have the pleasure of assuring you that your conduct against general Howe has been highly approved by military men here and in France. That approbation has been increased in those to whom I have had an opportunity of stating the great inferiority of the troops you commanded to those of the enemy, in number and in every provision for war.

The Prussian army, which amounts to 228,000, are disciplined by force of hourly exercise, and move with a rapidity and order which are certain to succeed against any troops in Europe. When the king reviews an army of 40,000 men, not a man or horse, the former in full march, the latter in full gallop, is discernibly out of line. The regiments are in the field every day, where, besides the general exercise, every man is filed off singly and passes in review before different officers, who beat his limbs into the position they think proper, so that the man appears to be purely a machine in the hands of a workman. The improvements of utility which I have been able to note, are these, viz.; the ramrods are of double thickness all the way, and enlarged as ours are at one end. The advantage is to ram down the charge so that they do not turn the rod, but raising it to the muzzle they plunge the lower end into the barrel, and then raising it up return it straight, without the necessity of turning it as formerly. This saves a great deal of awkward motion and of time. The mouths of the loops are very large, so that there is much more readiness in hitting them than formerly; which also expedites the important business of charging. The musket to compensate for this piece of weight is two inches shorter in the barrel. When the men present, instead of levelling their firelocks, they are taught to slant them down, so that a

point blank shot would apparently strike the ground at about ten yards distance. This depression is found necessary to counteract the elevation which the act of firing inevitably gives the musket; and even when a ball strikes the ground it generally rises and may do execution, but if directed too high it is lost entirely. These are alterations which seem to me of great utility, and I wish they may appear so to you.

It is my intention to write a history of this civil contention. The share you have had in it will form an interesting and important part. It will be in your power to preserve a variety of material papers and anecdotes for such a work. May I venture to hope that you will think me so far worthy of your confidence as to preserve them for me? Dubious parts of history can be cleared only by such documents; and we shall want every authentic record to vouch against the forgeries which will be offered to the world.

The resources of our enemy are almost annihilated in Germany, and their last resort is to the Roman Catholics of Ireland. They have already experienced their readiness to go, every man of a regiment raised there last year having obliged them to ship him off tied; and certainly they will desert more than any other troops whatever. They themselves rely on the present campaign. They have no probability of reinstating their army, except with Roman Catholics of Ireland; should this campaign materially diminish it, I have a plan for rendering that of little effect, which I hope will succeed. Should you keep your ground, the question of acknowledging your independence will become very serious next winter with the European powers. But until the events of this summer are decided their conduct will remain the same, and no open acts of interference will take place.

I am, dear sir, your's, with great respect, &c.

ARTHUR LEE."

CHAPTER IV.

Difficulties in the way of negotiations with the Prussian Court—Note to the Prime Minister the celebrated Schulenburg—Memoire of Mr. Lee to the king of Prussia—Robbery of his papers at Berlin—Autographic note of Frederick the Great to Mr. Lee—He permits him to hold free though secret conferences with his Minister—Negotiations with the Prussian Court—Correspondence of Schulenburg—The results of Mr. Lee's mission to Prussia—His return to Paris—His correspondence with Vergennes respecting supplies of arms, &c. for Virginia—His letter by order of his colleagues to Lord North respecting the treatment of American prisoners—His letter to the Earl of Shelburne on this subject—His spirited Memorial to the Prime Minister of Spain on the subject of the Proclamation of the British Commissioners in the United States, threatening a war of extermination—Memorial of the American commissioners to the French Court is sent by Mr. Lee with a diplomatic note to the Spanish Minister at Paris—The object of Mr. Lee in this—Letters of Mr. Lee on the subject of the capture of Burgoyne—Letter to the Marquis of Rosignan—Anecdote of Dr. Young and Voltaire—Letter to Sir William Jones.

THE part which Mr. Lee had to act at this period was delicate and difficult. To engage even the attention of the court of Berlin would require no ordinary weight of character, dignity of manners, skill and propriety of conduct. If the difficulty of access in any official or public character was great, the reader will readily apprehend the greater difficulty of removing the obstacles, which the times, the relations then existing between Great Britain and Prussia, the remoteness of the United States and the yet doubtful issue of their contest with the former, presented to every proposition of national association on the part of the latter power with the United States.

Prussia was at this time not only a neutral between Great Britain and the United States, but was bound by the superadded obligations of treaties with England. Although Frederick the great was an able and provident statesman, he might not readily perceive how the interests of his kingdom would be promoted by commercial intercourse with a country so remote from it, and whose resources and prospects were so little known and appre-

ciated in Europe. His sympathies it could not rationally be expected would be easily excited towards the republicans of America, for he had never shown any partiality for free and republican institutions. Mr. Lee's task here then was indeed a difficult and a delicate one. No ordinary prudence, ability and skill were requisite, to gain the attention, enlist the feelings, and attract the interests of his Prussian majesty.

As soon as he arrived at Berlin he asked the honour of a conference with the prime minister, the celebrated Baron Schulenburg. He was permitted to reside at Berlin in a private character, and to hold a secret correspondence with the Prussian court. He received the following assurance of the good will of the king, and of an early attention to the propositions Mr. Lee had laid before the minister.

"BERLIN, June 9th, 1777.

I have received sir, the letter which you did me the honour to write to me yesterday, and I think I perceive from its conclusion that on account of the difference of languages you have mistaken the sense of one or other of the expressions I made use of in our last conversation. I do not hesitate therefore to assure you sir, as I did in my letter addressed to you in Paris, that your stay at Berlin will not be at all disagreeable to the king, provided you live as a private person, and do not assume a public character.

As to the directions which you have given me concerning commerce, you will be so good as to add a note, where ensurance can be made for vessels destined for America, and the premiums given. I will then examine your propositions, and shall inform you shortly whether or not we think ourselves in a condition to make a trial of this sort.

I have the honour to be, with very distinguished consideration, your very humble and obedient servant,

LE BARON SCHULENBURG.*

To Arthur Lee, Esq. at Berlin."

* All the notes and correspondence of Schulenburg are written in French, with the autographic signatures of the Baron. Mr. Lee has left translations of all of them.

Under the discouraging circumstances, and the many obstacles attending the mission of Mr. Lee to the court of Berlin, which have been briefly sketched, and which were all more fully known and more deeply felt by him than they can be now known or felt by the reader, the friendless and lonely citizen and unacknowledged commissioner of his bleeding and struggling country, commenced his negotiations with a great and renowned monarch, and a recent and favourite ally of its powerful enemy. Mr. Lee opened his mission by presenting the following "memoire," in which he fashions with admirable ability and adroitness, its facts, arguments and conclusions, to the ends he was seeking to obtain. Baron Schulenburg had stated the obstacles to any measure on the part of Prussia in behalf of the United States. These Mr. Lee endeavours to remove. The intelligent reader cannot peruse without a deep interest this memoire, which sheds a lustre on the character of Mr. Lee.

MEMOIRE OF ARTHUR LEE TO FREDERICK THE GREAT OF PRUSSIA.

"BERLIN, July 29, 1777.

Sire,—The singular wisdom with which your majesty has made your kingdom so flourishing, the wise steps which have carried the prosperity of your dominions to a degree truly astonishing, will nevertheless not prevent me from saying to your majesty, that means may yet be found for augmenting the number and affluence of your subjects.

No maxim is more true, than that the number of their subjects forms the riches of kings. Both ancient and modern history proves without exception, that commerce is the mother of population. There is no necessity for bringing proofs of this to the view of one of the wisest kings that has ever existed. Such is the fact, and the reason is evident. There is therefore every reason to conclude that the king who wishes to increase the number of his subjects to the greatest possible extent, ought to establish and encourage the commerce of his kingdom.

The dominions of your majesty are admirably situated for commerce. The three great rivers that intersect them ought to furnish the greatest facilities for it. What then is wanting? Only an object sufficiently distant to make seamen; and sufficiently extensive to commence and keep up commercial intercourse. Such is America; and the unexpected events which have rendered the commerce of that country free, invite to the use of it. The monopoly of this commerce, which according to the opinion of that great and wise man Mr. Pitt, has sustained the power of England, no longer exists, and without a miracle will never again exist. Those nations who will exert themselves to attach to them a young and grateful people by aiding them to resist their oppressors, must profit by it. But those who look tranquilly on, waiting to see the issue of this war, must not hope to change the course which commerce shall before have taken from habit and gratitude. So that this is the moment to be seized on by those who may wish to participate in the commerce of America hereafter.

But obstacles present themselves; for in the first place you have not ships of war sufficient to sustain the honour of your flag. But, sire, you have the finest regiments in the world; and Great Britain, deprived as she at present is of wise counsellors, is not yet so mad as to run the risk of obliging your majesty to join those formidable regiments to the force of her rivals. Besides, such is the present weakness of England, so much is she exhausted and pressed by the war with America, that she is obliged to shut her eyes to transactions much stronger, and which pass immediately before them.

2dly. It is impracticable to have at the same time as numerous an army as that of your majesty, and a respectable fleet; because too many men would be required for them both, and the country would be ruined.

This objection would be a solid one if population was blessed by commerce. But the fact is otherwise. Instead of diminishing it augments it. Thus it is found that the most commercial countries are most populous. Population is always in proportion to the means of living. Commerce, by increasing these means, of course

increases population. Instead then of lessening the means of keeping up a large army, commerce affords the surest means of doing it.

3d. But sailors are wanting for such an enterprise.

It is the enterprise itself that will make sailors. A handful of experienced seamen are enough to encourage others; and the thing once put in motion will progress by itself. If the ports of your majesty were opened to our armed vessels, so that they might freely enter them, deliver their cargoes, refit, and secretly sell their prizes, then instruction and encouragement would be given to your seamen; and if above all some of them were permitted to make a voyage in our vessels, in a very little time seamen would be furnished from your own subjects, and would draw to your ports many of other countries, with a view of cruising in the American seas.

But it may be said this would be giving too much into the business at once, and tantamount to deciding upon the question of American Independence.

Not more so than is now warranted by the fact. Not more so than the laws of nations grounded upon the fairest principles of state necessity require. The fact is, we have the sword in our hands, and that we carry on the war openly. Can there be a more convincing proof of independency? We are in possession of the country, the articles of our commerce are the produce of our labours, and are our own. In law and in fact, we have the sole right of disposing of them. Is it right then that other nations should wait and suffer the greatest privations, whilst England is doing all in her power to cut our throats, and take possession of our property to sell it to them? Or can they not at once go and buy those things they want, and which the English cannot supply them with, without violating their neutral character. It is not difficult to say which is most reasonable and of course most conformable to the law of nations. Neutral nations in carrying on this commerce decide upon the fact and not the law. This very distinction is made by the law of England; as it is permitted to an Englishman to obey the powers that be, although they

are not of right. Besides the English recognised the Duke of Braganza as king of Portugal, and received his ambassadors in 1641; upon the ground that he had been called to the crown by the unanimous consent of the people. The congress have the same foundation. The assemblies of the states choose them annually, and these assemblies are chosen by the whole people. How is it possible to have a consent more unanimous or more mutually given. Your majesty will permit me here to offer some authorities upon this subject.

Charles Duke of Sudermania, having procured himself to be crowned king of Sweden in the commencement of the sixteenth century, sent James Vandyck into France to renew the treaties and alliances formerly made between the two crowns. Vandyck made it appear that the advantages which France would derive from the commerce of Sweden would be so considerable, that the king listened favourably to the propositions of this minister, and had a desire of treating with him. There was nothing in the way except the conduct of Charles, who had usurped the crown of Sigismond his nephew, after his nephew had been elected king of Poland; and had become odious on account of his making religion the pretended cause of the revolution. It was also considered in France that the king of Denmark, who was not a friend of Charles, might form a party against him, with the king of England, his brother in law. But notwithstanding all this, M. de Villeroy in writing to Jeannin, (8th April 1608) cut the matter short and said, "all these reasonings and considerations will not prevent the king from treating with Charles, if he finds his own interest and that of his kingdom benefited by it. (Wechfort, 126.) The example of Henry the great is worthy of a prince who no less merits the title.

Vattel in examining the same question says, "Foreign powers in this case follow the possession, if their own interests correspond with it. There is no rule more certain, more conformable to the laws of nations, and the independence of nations. Because foreigners have no right to concern themselves with the domestic concerns of a

people ; they are not obliged to examine and to go to the bottom of their conduct, about their own affairs, in order to weigh their justice or injustice ; they may if they please suppose that the right is joined to the possession."

The advantages which your majesty's dominions will derive from the commerce of America, must be very great. It will give a new vent, always increasing with the rapidly increasing population of America ; for your cloths, your linens, your porcelains, and all sorts of manufactures in iron ; the returns for which will be in tobacco, indigo, flax seed, cotton and furs.

It is true that these advantages will be greatly diminished by the ravages of the British and their mercenaries. If we are compelled to carry on the war singly, against all their force, and with the greatest difficulty of obtaining arms and munitions of war from Europe. It is for your majesty, with some other powers of Europe, to arrest those ravages by a commercial alliance with our United States.

There is no name so much respected amongst us as that of your majesty. Of course there is not a king whose declared friendship would give so much courage to our people and strength to our cause.

I have trusted to the goodness of your majesty to pardon me this long detail, and of thoughts so little worthy your attention, and so weakly perhaps expressed, in a language which I have but lately attended to. But I would rather express myself thus than to communicate to any other person that which I have had the honour of presenting to your majesty.

I have the honour to be, sire, with the greatest respect, your very humble and very obedient servant,

ARTHUR LEE.*

His Majesty the King of Prussia."

A few days after the arrival of Mr. Lee at Berlin, the door of his room was opened by means of a false key, and all his public papers were taken from it. He had

* The foregoing Memoire was written in French, from which it has been here translated.

reason to believe that they had been taken by the servant of the English envoy at the court of Berlin, who resided at the same hotel with Mr. Lee. He complained of the robbery to the minister of state, and addressed a note to the king on the subject. The king ordered an examination into the affair to be made by the officers of the police.* The enquiry had the desired effect ; and his papers were returned in the same secret manner in which they had been taken. This dishonourable act was traced with considerable certainty to the agency of the English envoy, who, at the request of Frederick, was recalled by his court. To Mr. Lee's note to the king, he wrote the subjoined note in reply. The author has the original note of Frederick, written in the French language, in his own hand-writing and with his autographic signature. He assures Mr. Lee that profound silence and secrecy should be observed respecting his conferences with the Prussian court.

“ Le Roi ayant reçu la lettre du Sr. Lée, de Berlin, le 1 de Juillet, et sa plainte du vol, qui lui a été fait, veut bien lui faire savoir en response, que Sa Majesté vient d'ordonner a son ministre d'etat, Baron Schulenburg, d'entendre ce qu'il auroit a lui dire ultérieurement là dessus ; que pour cet effet le Sr. Lée pourra s'ouvrir sans reserve envers le susdit ministre, surtout ce qu'il trouvera à propos de faire savoir à sa Majesté, qui l'assure par la présente d'un secret inviolable, et du profond silence, qui sera observé sur les ouvertures, qu'il jugera convenable de lui faire par cette voye.

A' POTSDAM ce 2. de Juillet 1777.

FREDERICK.†

Au Sr. Lée, a Berlin.”

* The report of the whole proceeding before the court of police, in French and German, is among Mr. Lee's MSS.

† Translation. “ The king having received the letter of Mr. Lee from Berlin, the 1st July, and his complaint of the robbery that had been committed upon him, pleases to let him know in answer, that his majesty has ordered his minister of state, Baron Schulenburg, to hear what he has finally to say upon that subject ; and for that purpose Mr. Lee may, without reserve, open himself to that minister upon those points especially that he would wish to make known to his majesty, who as-

Mr. Lee did not succeed during his visit to Berlin, in obtaining from the Prussian court a recognition of his official character from the United States. The relations existing between Prussia and Great Britain induced the king to defer the acknowledgment of their independence. The difficulties which weighed with that court in regard to any direct aid or countenance on its part towards them, are thus stated by Baron Schulenburg in this letter to Mr. Lee, addressed to him before he left Berlin.

"BERLIN, June 26, 1777.

After having testified to you sir in my letter of the 18th, our desire of establishing an immediate commerce with the colonies of North America, provided we could surmount the difficulties that opposed themselves, it remains only that I answer your letter concerning the free access of your privateers into our ports, which you mention in your's of the 20th. I can assure you sir, that the king is very ready to oblige your constituents, but on the other hand you must be sensible that his majesty cannot, in the present circumstances of things, affront the court of London.

Besides, our ports as yet have only received merchant vessels, and no vessels of war or privateers have entered them, so that the officers established in our seaports would be embarrassed how to conduct themselves on such an occasion; the customs observed on such occasions being unknown to them. You must therefore inform us how France and Spain act, the formalities they observe toward your cruisers, and how they reconcile the free entry of these into their ports with their friendship with Great Britain.

The result of the information you give on these subjects will determine if, and upon what conditions, we can grant the permission desired, and I shall take pleasure sir, in communicating to you the decisions of his majesty in due time.

swears him by the present of an inviolable secrecy, and that profound silence shall be observed with regard to those things that he shall communicate in this manner.

Potsdam, July 2d, 1777.

FREDERICK."

I have the honour to be, with great consideration, sir,
your very humble and obedient servant,

BARON DE SCHULENBURG.*

To Arthur Lee, Esq. at Berlin."

The impression made upon the mind of Frederick and his congenial minister by the abilities of Mr. Lee, was highly favourable and honourable to his country and its cause. He succeeded in obtaining from Frederick an assurance that he would afford no facilities to Great Britain, in procuring additional German auxiliaries, and that he would prohibit the passage through any part of his dominions of any troops which that court should hereafter engage in Germany. He obtained also permission for the citizens of the United States to carry on a direct commerce with the subjects of Prussia; and for himself to purchase for the use of the United States, arms at the armories from which the king supplied his armies.†

Mr. Lee left Berlin with an understanding that a correspondence should be kept up between Schulenburg and himself, on the affairs of the United States. He was desired to keep the king constantly informed of the events of the war with Great Britain; and was assured that Prussia "*would not be the last power to acknowledge the independency*" of his country. A letter addressed by the able and friendly Schulenburg to Mr. Lee, after the return of the latter to Paris, will be read with interest.

"BERLIN, Dec. 18, 1777.

Sir,—A few days after the departure of my last, of the 13th inst. in which I requested you to give me authentic intelligence concerning the progress of General Howe, of which the English ambassador had received an ac-

* The author finds the following note of Schulenburg among the MSS. of Mr. Lee. "Baron Schulenburg, minister of state, just setting off for the country, wishes that Mr. Lee would come to his house at 10 o'clock in the morning, as he has something to say to Mr. Lee from the king. *Berlin, July 8, 1777.*"

All the letters between Schulenburg and Mr. Lee are in the French language, of which Mr. Lee has left translations. His translations are used.

† Frederick had his arms manufactured at private armories, for the encouragement of his subjects.

count ; I learned by the letter you did me the honour to write me of the 4th of this month, that these advantages far from being so considerable as they were thought to be, are more than balanced by the surrender of General Burgoyne, and by the liberty which the troops under Arnold will have of acting where they shall be most wanting, which may very much harass General Howe.

I am much pleased sir, with these favourable events, and as from the situation in which affairs were when your despatches were sent, other events of consequence are to be expected before the end of the campaign, or even during the winter, I hope you will continue to communicate sir, without delay, all the authentic advices you may receive.

The king, who always graciously receives the news you send me, and expresses his satisfaction when it is in your favour, has seen the passage of your brother's letter, and I can assure you sir, *that his majesty will not be the last power to acknowledge your independency* ; but you must feel yourself that it is not natural that he should be the first, and that France whose commercial and political interests are more immediately connected with yours, should set the example.

I have the honour to be with distinguished consideration sir, your very humble servant,

BARON DE SCHULENBURG."

In the summer of the year 1778, Mr. Lee renewed negotiations with the court of Berlin, on the subject of a recognition on its part of the independence of the United States. He received assurances of the continued goodwill of the king towards the United States, and of his readiness to second France in acknowledging their sovereignty and independence. Mr. Lee made full use of the invitation of the Prussian court, to furnish it with intelligence of the events of the war. The correspondence between Baron Schulenburg and Mr. Lee, together with the letters of the latter to the commissioners at Paris, and to the committee of correspondence of congress, on the subject of his negotiations with the court

of Prussia, will be found in the Appendix, No 5. These papers will richly repay a perusal of them. The reader will perceive the respect in which the American states were held by the king and his great minister, and at the same time the caution with which they approach them. He will perceive too, the difficulties which attend the struggles of any people against the oppression of long established governments. These delays on the part of foreign powers tended to dispirit, but they could not dismay the people of the United States, who under the guidance of the firm patriots of the "old congress", and of the unyielding fortitude and genius of Washington, seemed the more to rely on themselves the more they were left to do so.

On Mr. Lee's return to Paris, he found the negotiations with the court of France in the same state in which he left them. The same caution which marked the conduct of that court in the early part of the year 1777, still characterized it. In this state of things, Mr. Lee renewed a correspondence with the French court that he had commenced as early as June in the year 1776, at the request of the assembly of Virginia, with a view to obtain for that commonwealth a supply of cannon and other military stores. He succeeded in obtaining the desired number of cannon, and a considerable quantity of other supplies. At the time of his application, the state of Virginia had no funds in France, nor could it be stated with any certainty when they could be put into Mr. Lee's hands, to pay for these supplies. Tobacco was the only article, upon the pledge of which the United States or any of them could obtain loans of any sort in Europe, and the danger of the capture of their vessels by the enemy's cruisers, rendered the voyage to Europe dangerous and uncertain. But such was the influence of Mr. Lee with the Count Vergennes, that he obtained the supplies in advance, on his personal assurance that they should be paid for. The first note of that minister to Mr. Lee on the subject of supplies for his native state, is here given.

"VERSAILLES, June 9th, 1776.

I received sir, the letter you did me the honour to write me the 3d of this month, and in which you state

the wants of the state of Virginia, in cannon, mortars, &c. Prince Montbarey, to whom I communicated it, has just sent me a statement of what can be furnished to you, which accompanies this. You may therefore sir, converse with this minister, both upon the manner of sending and of paying for these supplies.

I have the honour to be, with perfect esteem sir, your very humble servant,
DE VERGENNES."*

In the year 1778, the French government enquired of Mr. Lee, when it might expect the money for the supplies furnished to the state of Virginia, which that state had not been able to pay. Mr. Lee made an earnest and eloquent apology for the delay of payment for them, and accompanied it with a forcible representation of the condition of Virginia, in the war of devastation carried on upon her territory by the powerful and common enemy. The French court with great kindness assured him that it would wait with cheerfulness the ability of that state to discharge the debt. This service of Mr. Lee to his native state was a highly opportune and important one. He continued to transact business for it with the French court with great assiduity and to its entire satisfaction, during his residence in France. The correspondence between Mr. Lee and the French ministers, Vergennes, Montbarey and Neckar, and his letters to the governors of Virginia, Page and Henry, on the subject of 'Virginia supplies,' will be found in No. 4 (c) of the Appendix.

In the latter part of the year 1777, Mr. Lee was informed by a secret correspondent, that American prisoners in England were treated with cruelty and neglect. He immediately brought the subject before his colleagues; and earnestly corresponded with his friends in England, urging and authorizing them on his responsibility and credit, to supply his suffering countrymen with the comforts they needed. Upon consultation it was resolved by the commissioners that a letter should be addressed by them to Lord North, expostulating with the British government, in the name of humanity and of their country,

* All the letters and notes of Vergennes are signed with his own hand.

against its treatment of the American prisoners. Mr. Lee was appointed to draught the letter. He at the same time addressed one to Lord Shelburne, on the same subject. They are vigorous and eloquent productions. They are here presented to the reader.

"PASSY, Dec. 12th, 1777.

To the Right Honourable Lord North, First Lord of the Treasury, Chancellor of the Exchequer, and Prime Minister of the King of Great Britain, &c., &c., &c.

My Lord,—From motives of duty and an earnest desire of mitigating the calamities of war, we proposed near a year since, to the King of Great Britain's ambassador here, an exchange of prisoners in Europe. The answer we received must have been made known to your Lordship, and the world will judge of its decency. It would have been honourable for that noble lord, and happy for thousands who have since suffered unnecessarily, if he had considered that moderation is a mark of wisdom, and humanity an ornament to the highest station. These are the sentiments at least, which have governed the congress and people of the United States. They have wished that this war, into which they entered with reluctance, might be distinguished by the humanity with which it was conducted; and that compassion might heal the wounds that were inflicted. The records of congress, my lord, are filled with proofs of tender care and attention, not only to the wants, but to the comforts and accommodation of their prisoners.

We have wished in vain to find such instances in the acts of the British government, for unhappily all we have seen on this subject, is the public declaration of the governor and general who was chosen to commence this war, that the American officer and soldier should be treated with equal indignity, and all devoted without distinction to the most ignominious fate, in terms too low for us to repeat. We have never heard of this proceeding having been censured, by the government from which he derived his authority. Neither has the invitation to the Indian savages, at a public treaty, to drink the blood

and feast upon the bodies of those whom you called your subjects, been ever disavowed.

It is an universal complaint that the practices of those in authority under you have been conformable to the principles of those public acts. Col. Parker, a gentleman of rank, was thrown into a common jail in Boston covered over with wounds, where he perished unpitied for want of the common comforts which his situation and humanity required. Col. Ethan Allen was dragged in chains from Canada to England, from England to Ireland, and from Ireland to Carolina, and from thence to New-York ; at a time when the officers taken from you in the same expedition were treated not only with lenity, but with every possible indulgence. The barbarous treatment of Mr. Lovell in Boston has no parallel. Of the prisoners made in Fort Washington, two-thirds of them perished by the unexampled cruelty and rigours of their captivity. Even in England the severities which the American prisoners suffer, are, according to the testimony of every one we have seen, of the most grievous kind. Stripes have been inflicted on some to make them commit the deepest of all crimes, that of fighting against the liberties of their country. And numbers are now groaning in bondage in Africa and India, to which they are compelled by menaces of an immediate and ignominious death ; as contrary to every rule of war among civilized nations, as to every dictate of humanity.

It is with the greatest regret we mention these cruelties. For the honour of humanity we hope they will not be committed again. Your lordship must know that it is in the power of those we have the honour to represent, to make ample retaliation upon the numerous prisoners of all ranks in their possession ; and we warn and beseech you not to render it their indispensable duty. Upwards of five hundred British seamen have been generously treated, set at liberty by our cruisers in those seas, and sent at the public expense to their country. We trust you will think yourselves bound to dismiss an equal number of seamen, taken in the service of the United States.

We also desire that a person appointed by us may have permission to furnish the citizens of the United States who are in your prisons, with the necessaries they may want from time to time; and that a general cartel may be immediately settled, by which the unfortunate on both sides may be relieved as soon as possible from the miseries of imprisonment.

We must beg a speedy answer, that we may transmit without delay the determination of your court to our constituents.

We have the honour to be, with the highest respect, my lord, your lordship's obedient servants,

BENJAMIN FRANKLIN,
SILAS DEANE,
ARTHUR LEE,*

Commissioners Plenipotentiary from the
Independent and United States of America."

LETTER TO LORD SHELBURNE.

"PARIS, December 14, 1777.

To the Right Hon'ble the Earl of Shelburne.

My Lord,—I have the honour of enclosing to you a copy of a letter, transmitted at the same time to the first lord of the treasury. The honour of the nation, and the rights of humanity, are too much interested in the object of it, not to receive your lordship's advocacy.

The enclosed papers contain the principal transactions between the northern armies. The burning of defenceless towns, and of every thing before him, as General Clinton has done, will probably draw upon him and his

* The author feels it to be just to add here the answer from the British government. It is as follows, and is taken from the letter book of Mr. Lee, from which his letter to Lord North is copied.

"His majesty's servants do not approve of the appointment of inspectors. They understand the establishment of the prisoners to be what has been usual and proper in such cases. If there has been any neglect they have given strict orders to have it rectified; and they will be always ready to redress any complaints that shall be made. The prisoners shall be permitted to receive, under proper regulations, any charitable donations in their favour. Besides, this government is disposed and have it in their intentions as opportunities shall offer, to exchange them in America against British prisoners there. If any complaints are made through the hands of Mr. Hartley, or through any other proper channel, they will be taken into consideration according to the case, and redressed."

government the vengeance which such enormities deserve, in spite of all the efforts of congress to prevent any hasty retaliation. The S. Carolina Gazette mentions the arrival of an American captain who had been taken by Capt. Jarvis, and who mentions with the highest praise the generous and humane treatment he received from that officer. We have had from other prisoners accounts equally to his honour, which I am sure will give your lordship pleasure. Capt. Jarvis may be assured that such conduct will command from us the praise and esteem which are always due to a generous enemy.

The necessity which has made us enemies for a time, and separated us forever from the same government, has not altered the esteem I felt for the good and wise in England. Among those I hope your lordship and your friends will accept an assurance of my respect and friendship. I condole most sincerely with the family at Combwood for the misfortune at New-York.

I have the honour to be with the greatest respect and esteem your lordship's humble servant and friend,

ARTHUR LEE."

Subsequently to the dates of these letters, the British commanders in America published by order of their government, a proclamation denouncing vengeance and desolation upon the inhabitants of the United States and their territories. They proclaimed the determination to waste, and ravage, and sack every thing before them. They actually commenced this barbarous warfare, contrary alike to humanity and civilized usage. The mild and unrevengeful spirit of congress met with no correspondent sentiment from their enemies. That illustrious body felt its responsibility to glory and to honour, in the opinion of mankind; but it felt its duty to its country. Congress determined, though late and reluctant, to meet and punish its desolating foe with a dreadful retaliation, and take life for life. A manifesto was published threatening retaliatory measures, and justifying to the world this solemn resort. The commissioners, contemporaneously with the manifesto of congress and before they received a copy

of it, presented a memorial to the French court on the subject. It was drawn by Mr. Lee, and will be found in Appendix No. 4. (d)

As soon as copies of the proclamation of the British commanders, and of the manifesto of congress, reached Paris, Mr. Lee laid them before the Spanish minister, and accompanied them with a letter to Count Florida Blanca the prime minister of the court of Madrid.

“To his excellency the Count Florida Blanca.

I have the honour of enclosing to your excellency a true copy of a proclamation and manifesto lately issued in America by the British commissioners. The plan of desolation and cruelty announced in it has been approved in parliament by one of his Britannic majesty's principal secretaries of state, the Earl of Suffolk; and a majority in both houses of parliament have given their sanction to the manifesto itself by refusing to disclaim it. Upon these grounds it may justly be considered the act of the nation.

The intentions of Great Britain, derogatory at once of all the sacred rights of humanity, and of the honour of God, and of the established laws of civilized nations, are thus declared in the manifesto. “The policy as well as the benevolence of Great Britain have thus far checked the *extremes of war*, when they tended to distress a people still considered as our fellow-subjects, and to *desolate* a country shortly to become again a source of mutual advantage. But when that country professes the unnatural design, not only of estranging herself from us, but of mortgaging herself and her resources to our enemy, the whole contest is changed, and the question is how far Great Britain may by every means in her power destroy or render useless a connexion contrived for her ruin, and for the aggrandizement of France. Under such circumstances the laws of self-preservation must direct the conduct of Great Britain; and if the British colonies are to become an accession to France, will direct her to render that acquisition of as little avail as possible to her enemy.”

The pretext here alleged for carrying war to all extremities which the laws of humanity and of nations forbid, and of *desolating* merely for the purpose of desolation, is, that the country is to be monopolized by France. That this is merely a pretext is manifest from the treaty itself on which they ground it, in which it is declared that the United States are at liberty to make the same treaty with all nations.

Your excellency knows too, how unjust this imputation is in our most secret transactions. By one of those strange absurdities into which men blinded by bad passions are often betrayed, they denounce this desolation against the people at large, who they in the same breath assert have not ratified the treaty. Thus, if we are to credit their own assertions, the ground of their rage is pretended, and the objects of it innocent.

It is therefore most clear that the threatened cruelties are not out of policy, but out of revenge. And as nothing is more odious than this spirit, nothing more dangerous to all that is deemed dear and sacred among men, than an open avowal of such a principle, and an exercise of the barbarities which it suggests, such a conduct ought to arm all nations against a people whose proceedings thus proclaim them to be "*hostis humani generis*."

It is not that they can add to the cruelties they have already exercised; desolation and massacre have marked their steps wherever they could approach. The sending of those captives whom they pretend now to be their fellow-subjects, into perpetual slavery into Africa and India; the crowding of their captives into dungeons where thousands perish by disease and famine; the compelling of others, by chains and stripes, to fight against their country and their relations; the burning of defenceless towns; and the exciting of the savages by presents and bribes, to massacre defenceless frontier families without distinction of age or sex, are extremities of cruelty already practised, and which they cannot exceed. But the recovery of what they called their rights, and the reduction of those who had renounced as they alleged a just supremacy, was then avowedly the object of the war. These

cruelties were, it was pretended, incidental severities, and necessary to the attainment of a just object. But now destruction alone is the object. It is not profit to themselves but injuries to others which they are pursuing. Desolation for the pleasure of destroying is their only purpose. They will sacrifice to disappointed vengeance what their injustice lost, and their power cannot regain.

There cannot be a greater violation of those laws which bind civilized nations together, which are the general property, and which distinguish their wars from those of savages and barbarians, than this manifesto. All civilized nations are called upon, as well by their own interests as those of humanity to vindicate its violated laws. Your excellency will therefore permit me to hope that so daring and dangerous a proceeding will call forth a declaration from the king of Spain, whose preeminent character among princes for piety, wisdom and honour, will render him a fit avenger of the common cause of mankind. It is not America only that is wronged by this savage proclamation, but the feelings of humanity, the dictates of religion, the laws of God, and of nations.

Your excellency will also give me leave to request, that this representation may be laid before his majesty, and enforced with such arguments as your excellency's greater knowledge and the favour you have had the goodness to manifest for our just cause may suggest.

I have the honour to be your excellency's very humble servant,

ARTHUR LEE,

Commissioner Plenipotentiary from the Congress
of the U. S. of N. America to the court of Spain.

Paris, Dec. 17, 1778."

Mr. Lee accompanied this letter to the Spanish minister with a copy of the manifesto of congress in reply to the British proclamation, and thus concisely but forcibly states the justification of the United States for their resort to retaliatory extremities.

"PARIS, Dec. 27, 1778.

To his excellency the Count Florida Blanca.

I have the honour of enclosing to your excellency a manifesto from congress, in answer to that of his Britannic majesty's commissioners. You have also enclosed a copy of a former resolution of congress on this subject, from which it will appear how earnestly they have shunned this shocking extremity. As long as it was possible to impute the barbarities committed to the unauthorized intemperance of individuals, congress exhorted the suffering people to lenity and forbearance. But when they became acts of authority, avowed and ordered, congress must not only stand justified before God and man, but would have been culpable in the eyes of both, had they longer withheld the order for retaliation. Permit me to hope that your excellency will represent these things to his majesty, and that they will produce an immediate declaration which is most likely to arrest the sanguinary progress of our enemy, and compel them to relinquish the devastation of our country for the defence of their own.

I have the honour to be, &c.

ARTHUR LEE."

These papers were delivered to the Spanish Ambassador at Paris, with this note.

"CHAILLOT le 18 Dec. 1778.

Monsieur Lee a l'honneur de presenter ses respects, à son excellence M. le Comte D'Aranda, et de le prier de vouloir bien faire expédier au plutot le Pacquet ci-jointe à son excellence le Comte Florida Blanca.

A' son excellence l'ambassadeur de l'Espagne."

In order to despatch at once, a subject disagreeable because it records the guilt of a nation which we have so many reasons to admire, but proper to be introduced into this memoir because the papers relating to it reflect honour upon Mr. Lee, the strict chronology of the

political history of his life has been in some degree violated. In the first letter to Count Florida Blanca, Mr. Lee refers to the treaty then existing between France and the United States. The highly important and interesting part which he acted in negotiating the treaty of alliance with France will now be related.

On the 9th December 1777, Mr. Lee as commissioner to the court of Spain, addressed the following note to the Spanish ambassador at Paris, enclosing him a copy of a memorial which the commissioners had just presented to the Count Vergennes on the present state of affairs between the United States and France. The court of Spain being alluded to in this memorial, it was an appropriate paper to be presented to the minister of that court. The presenting of it to him was an ingenious mode of recalling the attention of the Spanish court to the representations heretofore made by Mr. Lee, on the policy of Spain joining France in a treaty of alliance and commerce with the United States. The memorial to the French court is an interesting paper. It was drawn by Mr. Lee.

(Note of Mr. Lee to Count D'Aranda.)

"Dec. 9, 1777.

To the Count D'Aranda.

I have the honour of enclosing to your excellency a copy of a memorial presented to his excellency Count Vergennes, by the commissioners of congress for this court. The knowledge I have of the great veneration entertained by the United States for the king of Spain and affection for the people, enables me to assure your excellency that nothing will give them greater joy than the happy conclusion of a firm and lasting treaty of amity and commerce between the two nations.

Permit me therefore to hope that your excellency will co-operate with the favourable disposition of this court, in bringing the treaty formerly proposed to a speedy conclusion.

I have the honour to be, with the highest consideration and respect, &c.

ARTHUR LEE

(Memorial to Count Vergennes.)

“ To his excellency the Count de Vergennes.

The commissioners from the congress of the United States of North America, beg leave to represent to your excellency that it is near a year since they had the honour of putting into your hands the propositions of congress for a treaty of amity and commerce with this kingdom, to which, with sundry other memorials, requesting the aid of ships of war and offering engagements to unite the forces of the said states *with those of France and Spain*, in acting against the dominions of Great Britain, and to make no peace but in conjunction with those courts, if Great Britain should declare war against them; to all which they have received no determinate answer; and apprehending that a continuance of this state of uncertainty with regard to those propositions, together with the reports that must soon be spread in America, of rigorous treatment met with in the ports of these kingdoms, may give advantage to our enemy in making ill impressions on the minds of our people, who, from the secrecy enjoined us, cannot be informed of the friendly and essential aids that have been so generously, but privately afforded us; the commissioners conceive that the present circumstances considered, that the completing of such a treaty at this time must have the most happy effect, in raising the credit of the United States abroad, and strengthening their resolution at home, as well as discouraging and diminishing their internal enemies, and confirming their friends who might otherwise waver. And the commissioners are further of opinion that the aid of ships desired, might at this juncture be employed with great advantage to America, which when honoured with a conference they can more particularly explain. They therefore request your excellency most earnestly to resume the consideration of those affairs, and appoint them some speedy day of audience thereupon.

They pray also that their grateful acknowledgments may be presented to the king for the additional aid of

three millions, which he has been graciously pleased to promise them ; and that his majesty may be assured whatever engagements they may enter into in behalf of the United States, in pursuance of the full powers they are vested with, will be executed with the most punctual good faith by the congress, who, believing their interest to be the same, and that a sure increase of the commerce, wealth and strength of *France and Spain* will be one consequence of their success in this contest, wish for nothing so much, after establishing their own liberty, as a firm and everlasting union with those nations.

Signed,

BENJAMIN FRANKLIN,
SILAS DEANE,
ARTHUR LEE.

Passy, Dec. 8th, 1777.

The author would treat with contempt that philosophy which will not discern in the course of events the guidance of an infinitely wise God. No one who is capable of estimating the present condition of the United States, and of elevating his mind to the grandeur of their prospects ; who can comprehend the multiplied and glorious enjoyments and advantages of civil and religious freedom, and of the arts and sciences, accessible to the millions who now and will hereafter inhabit the vast regions of their territory, will deny that the success of the United States in their conflict with Great Britain, was an event worthy the design and regard of the Great Ruler of all the earth. Let the American reader then, gratefully adore Him, who at this period of the utmost need of his country, when nations the most friendly were yet afraid to ally themselves with her, gave to her arms a signal and decisive victory. The surrender of Burgoyne ensured the final triumph of the United States. To this event, so unexpected a short time before it happened, and so easily to have been avoided by the captured general, may be attributed the commencement of a course of Providence towards the people of the United States, which if they duly regard Him who ordered it, may render them for ages the light, the example, and glory of the world.

This event has been termed decisive. It was so. It revived the spirits of the people of the states, gave them confidence in themselves and in their commanders, and as the reader will see, decided the timid and reluctant hesitancy of France and Spain.

A few days after the presenting of the above memorial to the Count Vergennes, intelligence of the surrender of Burgoyne reached the commissioners. They immediately laid it before the French court, and Mr. Lee acquainted the Spanish ambassador with the grateful information of that event. He wrote to Baron Schulenburg, and to all his correspondents in Holland, and announced to them a victory gained by the unassisted troops of his country over British veterans.

This intelligence had the happiest effect on the minds of the people of Europe, and on the policy of their governments. This was soon evident, in the felicitations of the ministers of France and Spain, presented in animated language to the commissioners. The courts of those nations began to feel the force of the previous representations of the American commissioners, that America had spirit and determination to carry on the war, and had rational prospects of success. While these courts felt this they began, especially the court of France, to apprehend that if America was left to carry on by herself a protracted war, which she should bring to a happy issue, they would lose the advantage of the good will and gratitude that aid immediately afforded would produce in the minds of the people of the United States, and which would lead, not only to a lasting amity, but advantageous terms of future commercial intercourse. They began too to perceive the strong probability that the entire separation of the United States from Great Britain might be effected, and their independence secured. The greater the certainty of these events became, the stronger were the inducements to France to incur the expense and hazard the contingencies of a war with England.

The impression made on the minds of the ministers of France and Spain, may be seen from a perusal of some pages of Mr. Lee's journal at this period of time.

The following most interesting and eloquent letters written by Mr. Lee, on the subject of this happy intelligence, evince the most ardent and devoted patriotism.

"PARIS, Dec. 17th, 1777.

Sir,—The news of Burgoyne's surrender, and Washington's having given battle to Howe, which reached Europe the beginning of this month, has produced the most decided opinion of the success and stability of our cause. You will soon see the most open effects of it; and I may, I think, assure you that our enemies will have more than America, to employ them another campaign.

* * * * *

Before this time you should have received very considerable supplies by the Flammant; and very ample ones will come by this opportunity. Those and the multitude of private adventures will furnish you fully, and will reduce the present exorbitant price of the necessaries of life with you.

With great respect and esteem, I am, dear sir, your friend,

ARTHUR LEE.

To James Lovell, Esq. Member from Massachusetts."

"PARIS, Dec. 18th, 1777.

Dear Friend,—The authentic accounts which reached most parts of Europe about the same time, the beginning of this month, of Burgoyne's surrender, and Washington's attacking Howe's army, has given a sensation that is likely to produce the most speedy and decisive effects. I think you may be certain the United States will not make another campaign without allies, nor our enemies be unattacked in Europe. But by my advice this ought not to relax your preparations; because, though a general war will put us upon a more respectable footing and give more opening and certainty to our efforts; yet it will call forth more earnest and united exertion from Great Britain, which will arm the hands of its government more strongly, and this augmented force, both from policy and hatred will be principally pointed at us. It must be remembered how much more energy and activity

there are in the English than in these nations, which when roused and united will not fail to be formidable, and therefore calls upon us not to think the danger over because we have repelled the force which a divided and ill-directed people have brought against us.

I think it probable that the lords Chatham and Shelburne will soon be ministers; and if they cannot ally Great Britain with us, they will use every effort to regain by force what the others have lost by folly. Perhaps the vigour of your preparations will prevent them from attempting it.

I am, my dear friend, yours truly,

ARTHUR LEE.

To Samuel Adams, Esq."

"To the Committee of Correspondence.

Gentlemen,—Our joint despatches will inform you of the forwardness in which things are here towards the desired conclusion.

In three weeks we shall hear from Spain, and all will I hope be settled. The late intelligence from America has staggered and confounded our enemies, as much as it has elated and decided our friends. Should they at length resolve to continue in rage and despair what they commenced in wickedness and folly, and venture upon a general war by which they must be overwhelmed, their principal efforts will be pointed against us, unless your being in a respectable state of preparation should deter them. In that case they will probably confine themselves to a piratical coasting war, and preying upon our commerce. I have directed all the naval stores that are collected at Bilboa to be shipped forthwith the moment the court of Spain agrees to furnish the money. To accelerate this material supply, I proposed to my colleagues to remit the money from our funds here; but they did not think it advisable.

* * * * *

I have the honour to be very respectfully gentlemen,
your humble servant,

ARTHUR LEE.

Paris, Dec. 19th, 1777."

The day after Mr. Lee's letter to that able and sterling patriot Samuel Adams, he wrote another in the following animated terms to the same gentleman, announcing to him an assurance from France which he had just received, that that court would enter into a treaty with the United States.

"PARIS, Dec. 19th, 1777.

Dear Friend,—The last ray of British splendour is passing away, and the American sun is emerging in full glory from the clouds which obscured it. *His most Christian majesty has assured us, in the most explicit terms, that he will enter into a treaty with us as soon as the courier returns from Spain*; and will maintain our independence by arms if necessary. The only stipulation he requires, is that we shall not renounce our independency when we make peace; a condition to which I believe we have no insuperable objection or reluctance. I have no reason to doubt the good faith of this assurance; and the solid wisdom of it is manifest. They say their object is to attach us to them, as long as human ties can endure; and certainly the principles on which they mean to act are wisely calculated for this purpose. I doubt you will not drop a single tear on the grave of Great Britain. That perverse and fallen people seem now sensible of the shame and ruin that await them; but I question whether they have spirit to avenge themselves upon the tyrant, who is the author of all their calamities.

Farewell, &c.

ARTHUR LEE.

To Samuel Adams, Esq."

In the same animated manner he concludes a letter to Baron Schulenburg, in which he had given him all the intelligence he had received from the United States. "Our enemies are exerting their utmost endeavours to renew their attempts against us. They are a people of energy and spirit, and worthy of the opposition of those who claim an equal birthright. Unassisted by foreign powers we cannot prevent them from desolating our country;

but we will repel the chains they mean to impose on us, and establish our independence forever."

With characteristic energy and patriotic feeling he thus congratulates General Gates, the victor of Saratoga.

"PARIS, JAN. 5th, 1778.

Major General Gates,

Dear Sir,—Give me leave to renew our old acquaintance, and to congratulate you on the important services you have rendered to the cause of liberty. Your complete and effectual victory came very happily to relieve us here from very painful embarrassments with the powers of Europe, into which the boasts and preparations of our enemies, with the doubts of our consistency and ability to resist them, had involved us. Your successes, with the battle given at Germantown have entirely removed those doubts, and will soon place us amongst the acknowledged sovereign powers of the world.

It gives me very particular pleasure that you have been so instrumental in this great event, as I have so long known you to have the most disinterested attachment to the cause of liberty and of America.

I have the honour to be dear sir, with the greatest esteem, &c. your friend and servant,

ARTHUR LEE."

To diversify the grave topics on which the reader has been dwelling with the reliefs afforded by the recollections of private friendships, and the occasional devotions of the statesman and scholar to literature and learning, the author ventures to interrupt the progress of politics, and to close this chapter with one or two letters from Mr. Lee to his literary friends, William Jones, Esq. (afterwards Sir William Jones) and the Marquis of Rosignan; the latter of whom, like Mr. Lee, united the learning of science to the talents and services of a politician, as the former joined the elegant accomplishments of literature to the more abstruse acquirements of a lawyer and advocate. Between these gentlemen a long, pleas-

ing, and instructing correspondence was carried on. The reader will find it in the 10th No. of the Appendix.

"PARIS, Dec. 22d, 1777.

Dear Sir,—I enclose you a performance of Dr. Franklin, which I think will please you.

Our last intelligence from America was of the 4th of August. By that we are informed that General Burgoyne had met with a considerable check, with the loss of several men and of his batteaux. The evacuation of Ticonderoga and the progress of the British troops gave no alarm, as it was conceived that they were only hastening to involve themselves in a country in which they would be cut off. The ravages of the British troops, and Howe's order to the inhabitants to bring in their money and take his notes for it on the treasury, had united and confirmed all men more firmly in favour of American independence. The ministry at London begin to think that this campaign will not answer their purpose; and I trust in God that the event will prove them to be once in their lives right in their judgment on American matters.

An Abbé here has contrived a telescope for measuring the distance of objects, which seems to be ingenious and effectual. I do not remember to have seen in your study the electroferus perpetuus, which is a very simple and admirable machine for the ordinary exhibitions in electricity. As it was invented in Germany I suppose you have seen it; otherwise I would send you a description of it, by which you might easily make one yourself. Mons. Le Sage a very able chemist here, exhibits very satisfactorily the experiment of corroding glass by the fumes produced from the addition of vitriolic acid to spar, for which that of Derbyshire is the best.* What these fumes precisely consist of, or from whence they derive this extraordinary power is not yet ascertained. The same

* The discovery of the effects of these fumes on glass has become extensively useful in the fine arts. The beautiful art of etching, or picture-printing by glass plates, owes its original to the discovery here spoken of. The progress of the science of chemistry, since the date of Mr. Lee's letter, has discovered the nature of these fumes and the rationale of their operation on glass, of which the principal ingredient is silica.

chemist has observed that the human breath turns violet colours *red*, and very exactly of that shade which is given to them by the muriatic acid.*

I have read Dr. Robertson's late history of America; not with the satisfaction I expected. Voltaire, in his *Histoire General*, has in my judgment touched it with a much more masterly hand.

I beg my respects to the Marquesa, and to be remembered to our philosophical friends. I hope not only to hear from you, but to be assured too that your journey and the baths have entirely re-established your health.†

I am, dear sir, with great respect and regard, your friend and humble servant,

ARTHUR LEE.

*To his excellency the Marquis of Rosignan,
Sardinian Envoy, at Berlin."*

"PARIS, Oct. 18, 1777.

Dear Sir,—I was comforted for the unhappy fate of our accomplished friend Alleyne, by hearing that you

* All the acids turn vegetable blues *red*; and the alkalis converts the red to *blue* again. The human breath contains a portion of carbonic acid. Hence the blue stimulus paper is changed to a red colour by exposure to the human breath. The reader will excuse these collegiate reminiscences.

† The name of Voltaire brings to the recollection of the author an anecdote which Mr. Lee has written at the bottom of a page (in a vol. of Voltaire's works) of his *Essay on Epic Poetry*. While Mr. Lee resided in France a learned Italian count, who had just been travelling through England, dined with him, in a learned company assembled by Mr. Lee to enjoy the society of the Italian. The count related a fact which had happened in his presence some years before when in England. He had been invited to dine with Voltaire, who was then on a visit to England, and Dr. Young, the author of the *Night Thoughts*, at the house of some gentleman in London. The reader will recollect that Voltaire pretended to entertain a great contempt for Milton's *Paradise Lost*, and had endeavoured to ridicule that inimitable poem, in his *Essay on Epic Poetry*. Dr. Young ardently admired Milton. He was said to be very animated in his manner, and vehement in his temper. During their sitting after dinner the conversation turned on epic poetry, and Voltaire attacked various parts of the *Paradise Lost* with much ridicule. Dr. Young warmly vindicated the beauties and sublimity of the passages so treated by Voltaire. The Doctor grew more and more warm and vehement in his manner, and unconsciously grasped a large knife near him, and leaning forward toward Voltaire appeared to him to be getting *too near*. Voltaire, who had a great dread of a hot-headed Englishman, became quite uneasy at the manner of the Doctor. He at length began to draw back his chair, and the Doctor still leaned towards him, nearer and nearer, with increasing earnestness, until Voltaire rose and stepped back, upon which the Doctor rising towards him, vehemently uttered the following extemporary verse.

"You little, profligate and thin,
You are Milton's devil, death, and sin."

Voltaire was remarkably small and thin. The passage of Milton's *Paradise Lost* which Voltaire had been ridiculing, was Milton's Personification of Death and Sin.

were coming forward in his place. It was impossible not to have an affection for a man so worthy of it, except in those failings which I knew too well, and by which he himself was the greatest sufferer. I never yet met with a man whose talents were greater, or more calculated to please and instruct. The great fortune to which he was born nourished in him I believe that turn for extravagance which was the source of all his misfortunes. Peace be to him! I shall ever remember him with esteem and regret. If you see any of his family be pleased to remember me to them.

Mr. Bolton flatters me that you will put forth your utmost strength upon the great question of impressment. It is of the last importance to the security of the subject, and to the honour of the police of the kingdom, that this question should be decided. For what can more abase the dignity of the constitution, or endanger the security of the subject, than that the least enlightened and most abandoned of the community, for of such press-gangs are usually composed, should be supposed to have a legal power of judging and executing in what concerns the dearest object of legal protection, personal liberty? To say no worse of this practice and to suppose no intention of oppression, it is certainly left to every press-gang to judge who it is that comes within the description of the warrant under which they act, and in the instant to execute that judgment with ruffian violence, and drag the unhappy victim covered over with wounds into the most dismal of all dungeons, where the approach or knowledge of his friends is always difficult, and may easily be rendered impossible.

It ever appeared to me the grossest of all absurdities, to suppose the law could authorize that which overturns all law, and *soberly* commit to a drunken beadle a summary judgment and execution without trial or appeal, which is not trusted to the gravest and most dignified judges of the land, nor even to the sceptre itself. With regard to Mr. Foster's law argument I am satisfied from my own experience that you will find that by searching into the ancient records, that it is the sophistry of an

advocate and not the opinion of a judge. Among the innumerable arguments against it, these appear to me to be conclusive, and to prove beyond controversy that to use an expression of some note, it is a lewd custom and not law. First, the ancient warrants vouched for pressing seamen do equally authorize the impressing all men, since after describing many others besides mariners they conclude "*et alios quoscunque*." These therefore proving too much, prove in fact nothing, but that the whole is an usurpation on the part of the crown. Secondly, there is no writ in the register authorizing the recovery of a mariner so pressed into the service, which, had it ever been deemed legal, must inevitably have been the case. The general rule that there is no right without a remedy, is more especially true with regard to the prerogative. Had there ever been a right in the crown to force seamen into its service, there would have been a writ to retake them when they deserted. But the writ is for those only who have received wages, and the conversion of those wages being a proof of consent, that conversion is specified in the writ. It is manifest then that the consent, and not force, was what, in contemplation of law entitled the crown to claim the mariner's service. Besides, the practice carries an internal evidence of its illegality with it, since a community of robbers could not devise an institution more inconsistent with law and order, or more strongly marked with violence and wrong.

You will do me a very great favour if you will preserve and convey to me the arguments and opinions upon this question, should it come forward. Perhaps the intemperance of some one among us may be some time or other inclined to introduce it into the United States:

Next to the establishment of our own liberties, the redemption of your's is my warmest wish. I think it is inevitable that the trial must come forward with you in a few years. The Scotch domination drives on too fast to continue long unquestioned. The weight of the yoke from which we have withdrawn will be concentrated upon you. Those who expect experience will make the

contrivers of this flagitious business more moderate in the use of the power left them, will, I think, be mistaken. The disappointment will be much more likely to inflame their passions than reform their judgment, to exasperate than to mitigate their tyranny. But in my opinion the Scots have undertaken more than their abilities and judgment, which I think showy, not solid, can direct or maintain. In the end therefore I hope to see them defeated by you, as I have every reason to trust they will be by us.

For the commencement of a correspondence, this letter I am afraid will appear tedious. I shall therefore close it with assuring you that there is no one in whose remembrance and friendship I shall be happier than in your's.

I have the honour to be your's, with the truest esteem, dear sir, &c.

ARTHUR LEE.

To William Jones, Esq. Middle Temple."

CHAPTER V.

The effect of the capture of Burgoyne in France and other parts of Europe—The French Court resolves on a Treaty of Alliance with the United States—Debates on the subject of the 11th and 12th Articles of the Treaty—Mr. Lee refuses to concur with his colleagues in these Articles—The French Court consents that Congress may strike them out of the Treaty, without affecting its validity—Congress concurs with Mr. Lee and strikes out those Articles—Mr. Lee's efforts to induce Spain to join the Alliance—He procures a secret and separate Article from the French Court in relation to Spain—His endeavours to procure a loan of two millions of pounds sterling from Spain for Congress—His correspondence with Mons. Dumas of Holland—Intrigues of British secret agents in Paris—Mr. Lee detects and exposes them—Invitation of the Congress to Dr. Price, to remove to America and become a citizen of the United States—Mr. Lee's letter and Price's reply—Sketch of the labours and services of Mr. Lee while in France—His journal of negotiations with the French and Spanish minister—His correspondence with Congress—Return of Mr. Lee to America ; causes of it—His arrival and reception in the United States—His reception by Congress—He is elected a member of the Virginia Assembly, and is chosen by that body a delegate to Congress—Is appointed by Congress a Commissioner to treat with all the north-western tribes of Indians—Is chosen by Congress one of the Board of Treasury, at which he continued from the year 1784 to 1789—His retirement—His continued correspondence with eminent foreign persons of distinction—His literary honours—His death and character.

THE reader has seen from the letters of Mr. Lee on the subject of Burgoyne's surrender, that the intelligence of that event had produced a very favourable effect upon the minds of public men in Europe. It changed the policy of the French court towards the United States ; and though the Spanish court did not so promptly yield to this effect, its assurances of amity and aid became more earnest and unequivocal.

The French court immediately entered into negotiations on the subject of a treaty of alliance and commercial intercourse. The reason given by the Spanish ministry for its dilatory course towards the United States, was the hazard to which an open alliance with them would expose their fleet, then not yet returned from South America with the annual supply of silver.

The reader will find in the journal of Mr. Lee, a minute and a most interesting detail of the progress of the negotiation with the French court, for a treaty of alliance and commerce. It appears that the first projets of a treaty presented by the French ministry did not contain the word "sovereign" when the United States were spoken of. Mr. Lee urged upon his colleagues the propriety of insisting on an express acknowledgment of our sovereignty and independence, to be inserted at once into the proposed treaty. In support of his opinion of the propriety and duty in the American commissioners, of insisting upon this acknowledgment in the commencement of the negotiation, he referred to the instance of Holland, whose independence was not acknowledged for nearly half a century after it had freed itself from the Spanish crown. At his suggestion an article was inserted specifying the possessions of Great Britain, on and near the continent of North America, which France was to be bound not to attempt to conquer during the war. The reader will peruse Mr. Lee's journal of this period with great interest.

The provisions of the 11th and 12th articles of the treaty of commerce with France presents the subject of most interest in the history of our early negotiations with that country. The propositions of the French court which constituted these articles, were at one time embodied in the treaty. France at this time possessed the principal islands in the West Indies, which yielded the greatest supply of molasses. It was proposed to our commissioners, that the United States should exempt *from any tax or impost, all merchandize exported from the United States to the French islands yielding molasses*, by French subjects, while France should exempt from all duty *the molasses exported from her islands to the United States* by their citizens. As the principle of these articles, no less than the policy of them, formed a subject of difference between the commissioners, and of difficulty in the negotiation; and became a subject of debate in congress, and of renewed negotiation after the consent of that body had been gladly and gratefully given to every other part

of the treaty, the reader will expect from a faithful biographer of Mr. Lee more than a passing notice of the interesting topics relating to them. The two articles which were earnestly debated in their day, are in these words in the original treaty.

"Article 11th. It is agreed and concluded that there shall never be any duty imposed on the exportation of the molasses that may be taken by the subjects of the United States from the islands of America, which belong or may hereafter appertain to his most Christian majesty."

"Article 12th. In compensation of the exemption stipulated by the preceding article, it is agreed and concluded that there shall never be any duties imposed upon the exportation of any kind of merchandize, which the subjects of his most Christian majesty may take from the countries and possessions, present or future, of any of the thirteen United States, for the use of the islands which shall furnish molasses."

Mr. Lee, from the commencement of the conferences upon these articles, earnestly opposed the adoption of the proposition of the 12th article, on the ground that the exemption stipulated for in that article as an equivalent for the exemption of the 11th article, was greatly more than a fair equivalent. The single article of molasses to be taken from the French islands was to be exempted from duties by France; but *all merchandize* exported to those islands by the subjects of France, was to be exempted from duties by the United States. Mr. Lee however, anxious to secure an alliance with France, was not disposed to secure it at such a price. He contended that reciprocity should constitute the basis of the treaty, and that there should be some just proportion between equivalents. He forcibly remarked that an agreement to these articles would be a permission to France, "to tie *both of our hands*," for the privilege of "*tying one of her fingers*."

As the French ministry seemed desirous to retain these articles, and as Mr. Lee's colleagues assented to them, he waived for a time his objections, and they were

comprehended in the treaty. His reasons for this waiver of objections, which to his mind appeared to be insuperable, he states to be a desire to exhibit unanimity in the commissioners, and to procure a speedy conclusion to their negotiations for a treaty. But upon further reflection his mind became more strongly impressed with the impolicy of these articles, and he finally refused to sign the treaty unless there should be an explicit understanding with the French court, that they should be considered as open to the adoption or rejection of the congress of the United States; and that the rejection of them should form no impediment to the ratification of the treaty. The notes of Mr. Lee to his colleagues, and their replies are here given. They present the reasons of Mr. Lee for disagreeing to the 11th and 12th articles, and afford a gratifying specimen of his ability as a statesman and diplomatist.

“CHAILLLOT, January 30th, 1778.

To the Hon'ble Benjamin Franklin and Silas Deane.

Gentlemen,—More mature consideration and fuller lights upon the subject have satisfied me that I was wrong in receding from my opinion against the admissibility of the 12th article in the proposed commercial treaty. I should therefore think myself neglectful of the duty I owe to the public if I did not endeavour yet to prevent that measure before our signature has rendered it irrevocable. And certainly nothing short of totally preventing the treaty from being concluded will prevail upon me to sign it if that article is to stand.

What has thus confirmed me in my former sentiments is this; at the conclusion of Mr. Gerard's observations upon what we proposed, he said they had no design to lay duties upon their molasses, nor was it compatible with their policy. Dr. Franklin informed me yesterday that a substitute for molasses had been found in America, procurable from a substance, which is the growth of the country, and of infinite plenty. A prohibition on the export of their molasses will effect every purpose which

we are providing against by restraining the imposition of duties.

From these considerations it seems clear to me that molasses is not such an important object as was stated; that the demand is more likely to diminish than increase; that there is no sound reason for apprehending that without any restraint, duties will be imposed on that article; that if there were the strongest reasons for that apprehension, the sacrifice does not secure us from the evil it is intended to prevent.

If these reasons are not utterly fallacious, we are by the article proposed really tying both our hands with the expectation of binding one of her fingers. The principle too is, and the effect must be, the encouragement of commerce at the expense of agriculture. Whatever temporary advantages it may give will be permanently pernicious to our country. Nor is it an argument of little weight with me that we are binding our constituents forever, upon a point on which they have not had an opportunity of giving their instructions. How far it is within the limits of our powers and our discretion I am exceedingly doubtful.

I would therefore submit to you, gentlemen, upon the ground of the article not having been in the plan given for our guidance, and of doubts which have arisen amongst ourselves about the approbation it will meet with, if it should be unrejected by the court here, that we should propose *that both articles should be left open to be rejected or admitted by congress, without affecting their ratification of the rest of the treaty.* This exception will, it seems to me, refer the decision to that arbitration which ought to determine it, and free us from any possible imputation of having acted wrong, or of having exceeded our powers.

I am willing that whatever charge of levity may arise from thus renewing the negotiation may be wholly visited upon me. Though indeed, as I think we are treating with gentlemen of sense and candour, I am under no apprehension that they will view in any such light an anxiety to act with the utmost circumspection in a business

of great moment, and of doubtful effect. I must beg, gentlemen, an immediate consideration of what I propose, and that you will do me the favour of apprizing me of your determination as soon as you have formed it.

I have the honour to be very respectfully, your obedient and humble servant,
ARTHUR LEE."

To this forcible statement of his objection to the 12th article, his colleagues returned him the following reply.

"PASSY, February 1st, 1778.

Sir,—We have maturely considered your letter of the 30th past. And although we cannot see the mischievous consequences of the 12th article which you apprehended, yet conceiving that unanimity on this occasion is of importance, we have written to M. Gerard this morning that we concur in desiring that article and the preceding to be omitted, agreeable to his first proposal.

We have the honour to be sir, your obedient humble servants,
BENJAMIN FRANKLIN,
SILAS DEANE.*

The Hon. Arthur Lee."

This reply was accompanied with a copy of the joint letter of the two commissioners to Mons. Gerard, who was the minister appointed by the French court to negotiate the treaties with the American commissioners.

"PASSY, Feb. 1st, 1778.

To Mons. Gerard.

Sir,—Mr. Lee having signified to us, that on further consideration he has changed his sentiments relating to the 12th article, and that he cannot join in signing the treaty if that article remains in it; and as unanimity on this occasion is of some importance, and the articles 11 and 12 seem not perfectly consonant with the declared spirit of the treaty, which is to leave each party free in

* This note is copied from an attested copy from the original.

its regulations of commerce; we concur in requesting (if it can be done without occasioning delay) that those two articles may be omitted, agreeable to your own first proposition.

We have the honour to be sir, your most obedient
humble servants, BENJAMIN FRANKLIN,
SILAS DEANE."*

The French minister replied that as the treaty had been ratified by the king, under his seal, the articles could not be erased; but that Mr. Lee's proposition would be accepted. It was agreed that the two articles should stand in the treaty, subject however to the adoption or rejection of congress; and that the rejection of them by that body should not invalidate the ratification of the treaty. Mr. Lee joined his colleagues in signing it, and this instrument (the sign of independence and hope in the western heavens!) was immediately transmitted to America.

The congress and the people of the United States received the treaty with the liveliest emotions of joy and gratitude. The congress instructed their commissioners to return their acknowledgments to Louis by the following resolve.

"In Congress, May 4th, 1778.—*Resolved*, That this congress entertain the highest sense of the magnanimity and wisdom of his most Christian majesty so strongly exemplified in the 'Treaty of Amity,' and 'Commerce,' and 'the Treaty of Alliance,' entered into on the part of his majesty with these United States, at Paris, on the 6th February last; and the commissioners, or any of them representing these states at the court of France, are directed to present the grateful acknowledgments of this congress to his most Christian majesty, for his truly magnanimous conduct respecting these states, in the said generous and disinterested treaties, and to assure his majesty on the part of this congress, that it is sincerely wished that the friendship so happily commenced be-

* This note is taken from the original sent to Mr. Lee. It is in the hand-writing of Dr. Franklin.

tween France and these United States may be perpetual.”*

As soon however as the congress and the people were left free from the emotions so natural and just, and were recalled by the voice of duty to consider the treaty in the light of reason, a decided sentiment against the 11th and 12th articles was the result. They were rejected, and congress instructed their commissioners to acquaint the French court of the rejection of them, and signify to it that congress approved the principle upon which the treaty had been negotiated, that both nations should be left without restriction by treaty stipulations, to adopt in future whatever commercial regulations they should judge most conducive to their respective interests. The court of France agreed that the articles should be expunged, and the treaty was finally and completely ratified without them, in a spirit of entire harmony and good will.

During the pendency of the negotiations with the French court, Mr. Lee as minister from the United States to the court of Spain, was mindful of his duties in this capacity. He earnestly endeavoured to procure the immediate accession of Spain to the treaty of alliance and commerce concluded with France. But all his efforts were without effect to move the slow and cautious policy of that court. It declined for the present to join France in the treaty with the United States. But Mr. Lee procured a secret and separate article to be entered into by the King of France with him as minister to Spain, the purport of which was that his most Christian majesty in concluding the treaty of amity and commerce and of eventual and defensive alliance with the United States, had reserved for his ally the King of Spain, a right of future accession to the treaties and to the benefits of their stipulations. This act was in the following words, as translated from the French language by Mr. Lee.

(Act Separate and Secret.)

“The most Christian King declares in consequence of the intimate union which subsists between him and the

* See the Journals.

King of Spain, that in concluding with the United States of America this treaty of amity and commerce, and that of eventual and offensive alliance, his majesty hath intended and intends to reserve expressly, as he reserves by this present separate and secret act to his Catholic majesty, the power of acceding to the said treaties, and to participate in their stipulations at such times as he shall judge proper. It being well understood, nevertheless, that if any of the stipulations of the said treaties are not agreeable to the King of Spain, his Catholic majesty may propose other conditions analogous to the principal aim of the alliance, and conformable to the rules of equality, reciprocity and friendship. The deputies of the United States in the name of their constituents, accept the present declaration in its full extent; and the deputy of the said states, who is fully empowered to treat with Spain, promises to sign on the first requisition of his Catholic majesty, the act or acts necessary to communicate to him the stipulations of the treaties above written. And the said deputy shall endeavour in good faith the adjustment of the points in which the King of Spain may propose any alteration conformable to the principles of equality, reciprocity and perfect amity; he, the said deputy not doubting but that the person or persons empowered by his Catholic majesty to treat with the United States, will do the same with regard to any alterations of the same kind that may be thought necessary by the said plenipotentiary of the United States.

In faith whereof the respective plenipotentiaries have signed the present separate and secret article and affixed to the same their seals. Done at Paris the 6th February 1778.

C. A. GERARD.

BENJAMIN FRANKLIN,
SILAS DEANE,
ARTHUR LEE,

*Deputé Plenipo: pour la France et l'Espagne.***

During the year 1778 the commissioners were employed in attending to the concerns which the reader will

* See Secret Journal, vol. ii. p. 88.

readily apprehend must have arisen in the relations between two independent nations, now openly and closely allied. They were numerous; and required all the labour and attention that could be bestowed on them. Mr. Lee gave to them his full share of labour and activity. But he bore the additional character of sole commissioner to the court of Spain, and of acting commissioner to Berlin. His duties therefore were more various in their character, and more numerous than those which devolved on his colleagues. His mind was kept in constant exercise, and his labours were severe and ceaseless. He did not for a moment lose sight of the interests of his country connected with foreign powers; and the zeal and diligence with which he devoted himself to his official duties, equalled the ability he displayed in the performance of them. The negotiations which he conducted during the year 1778 with the court of Prussia, may be seen in the 5th No. of the Appendix. He conducted a continued correspondence during that year with the Prussian minister. He had the honour of obtaining, as the reader has seen, a promise from the Prussian monarch that he would second France in acknowledging the independence of the United States.

Mr. Lee did not remit his efforts during this year to induce the court of Spain to accede to the treaties concluded with France. But it continued equivocally to decline all Mr. Lee's propositions. At length Mr. Lee became weary by the delay of that court to give a definite answer to them; and had formed a resolution to repair to Madrid, and enjoy the advantages of personal conferences with the Count Florida Blanca. Having some doubt of the propriety or probable policy of such a step, he consulted the friendly and candid Vergennes on the subject in the following note in French, of which Mr. Lee's translation is here given.

"PARIS, Oct. 12th, 1778.

To his excellency the Count de Vergennes.

Your excellency has seen in the separate and secret act signed the 6th February 1778, that I am charged with

full powers to conclude a treaty with Spain. You are also acquainted with my having been in Spain, and having had conferences with the Duke de Grimaldi on this subject.

All the objections which were then alleged against an immediate declaration are now removed. The consistency of our cause is now unquestionable. France is ready and has actually declared; their treasures are safe, and the fleet from Buenos Ayres is in their harbours. Yet we do not see the least movement on their part towards realizing the hopes they gave us; but on the contrary, what ostensible measures they have taken, most certainly give encouragement to our enemies. That court has not thought proper to take the least notice of the ratification of the separate and secret act which I announced to them. While we are therefore bound, they are at liberty.

All this sir, gives me much uneasiness. I am apprehensive that congress will not think this mode of acting very satisfactory; and that the encouragement it must hold out to the court of London will prolong this pernicious war, and make it cost us more blood and treasure than is necessary to tie the hands of our common enemy, and establish effectually the liberty, the sovereignty, and independence of the United States.

In these very critical circumstances I must have recourse to the king and to your excellency. Our cause is common; and it is my wish to conduct it by your experience, your lights, and your counsel, as to the measures I am to take, whether it be to act or to wait. This would always be my desire, but I consider it now my duty; for it seems to be the mutual sentiment of your court and of congress, that the eventual treaty signed at Paris on the 6th February is now become actual, permanent, and indissoluble. The first article of that treaty says that if war should break out between France and Great Britain during the continuance of the present war between the United States and England, his majesty and the United States will make it a common cause, and will aid each other with their mutual good offices, counsels, and forces, according to the exigency of things, and as becomes good and faithful allies.

It is upon these principles that I think it my duty to endeavour to place upon an equal footing the interests of France and the United States ; and therefore not to commence any thing without the concurrence of your court. Upon the same principles I flatter myself with obtaining the aid and assistance of your wisdom and information, as to the moment of commencing the measures to be taken and the means to be employed with the court of Spain.

I am persuaded, and always was so, that Great Britain cannot make head for a year against the united counsels and force of the house of Bourbon and the United States of America.

I have the honour to be your excellency's very obedient servant,

ARTHUR LEE."

The count advised that Mr. Lee should not at this time press the subject further on the Spanish court. Mr. Lee was guided by his counsel, and did not go to Madrid, but continued in friendly correspondence with the minister of Spain at Paris. Though Spain thus long declined the overtures of the United States to an open alliance, the good understanding and the friendly biases of the former towards the latter which had hitherto subsisted continued to exist. A pleasing proof of this is exhibited in the following communication of Mr. Lee made to the Spanish court, by the direction of congress. That body must have been well assured of the cordiality of Spain towards their cause, when they would have disclosed to her cabinet, yet holding ostensibly amicable relations with Great Britain, the wants and distresses of their country. Their representative performed the duty assigned him by their resolve, with no ordinary ability and with the desired success. Towards the close of the year 1777 the fiscal affairs of the United States were greatly embarrassed. The rapid depreciation of their paper money had already been attended with serious consequences, and threatened for the future more deplorable evils. In consequence of this state of things, congress on the 23d December 1777 passed a resolution, instructing and authorizing their com-

missioners at the different courts to make an immediate and earnest application for a loan of two millions sterling, upon terms specified in the resolution. As soon as the resolution and the instructions reached Paris, Mr. Lee addressed this earnest and well adapted letter to the prime minister of Spain through her resident ambassador at Paris.

"Mr. Lee presents his respects to his excellency Count D'Aranda, and begs he will have the goodness to forward the packet which he has the honour of enclosing him, and which is on business of the last importance, by the first opportunity to his court.

Chaillot, July 19, 1777."

"To his excellency the Count Florida Blanca.

I have the honour of transmitting to your excellency the enclosed resolution of congress, with my most earnest prayer that it may be immediately laid before the king. Nothing but the uncommon exigency of the present war, attended with such peculiar circumstances with regard to the United States, would prevail upon them to press so much upon his majesty's goodness. That necessity must also plead my pardon for entreating your excellency to let me have as early an answer as possible. As the United States have the highest confidence in the friendship of the king, they promise themselves that his goodness will afford this loan, as a relief to their most urgent distresses. With regard to the interest, the quantum of that they refer themselves to his majesty's justice. Five per cent. is the legal interest with them, but I am authorized to give six if his majesty should desire it.

This interest will be most punctually paid, and they will neglect no means of liquidating the principal, if desired, sooner than the stipulated time; which will be easily accomplished when peace or some other employment of the enemy's navy than that of preying upon the trade of the United States, will permit their exports to find European markets.

Your excellency will perceive that this loan is appro-

priated to sink the paper money which necessity obliged congress to issue. An infant and unprepared people compelled to defend themselves against an old, opulent and powerful, and well appointed nation, were driven to this resource of issuing paper. They were to create armies and navies, to fortify towns, erect forts, defend rivers, and establish government; besides the immense expense of maintaining a war, that pressed them powerfully on all sides. For these purposes they had neither funds established, taxes imposed, specie in their country, nor commerce to introduce it. In this exigency paper money was their only resource, and not having been able for the same reasons to redeem it, the depreciation which necessarily followed threatens the total destruction of their credit, and consequently their only means of maintaining their independence.

In this distress their hope is fixed upon his majesty; and I most earnestly beseech your excellency so to represent our situation to the king, as may move his royal benevolence to furnish the relief we wish, which would raise an everlasting tribute of gratitude in the people of the United States.

I have the honour to be, with the greatest respect,
your excellency's most obedient and humble servant,

ARTHUR LEE.

Paris, July 18, 1778."

The resolution of congress is here added.

"In congress, Dec. 3, 1777.

The great quantity of paper money issued to defray the expenses of the war, having at length become so considerable as to endanger its credit, and congress apprehending the slow operation of taxes may not be adequate to the preventing of an evil so pernicious in its consequences, and as experience proves that the method of paying the interest by bills on France does not fill the loan office so fast as the urgent calls of the war demands,

Resolved, that the commissioner at, &c. be directed

to exert his *utmost* endeavours to obtain a loan of two millions sterling, on the faith of the United States, for a term not less than five years, with permission if practicable, to pay the same sooner if it shall be agreeable to these states, giving twelve months previous notice to the lender, of such intention to return the money. That the commissioner be instructed to consider the money hereby directed to be borrowed, as a fund to be applied, unless congress direct otherwise, solely to the purpose of answering such draughts as congress shall make for the purpose of lessening the sum of paper money in circulation.

That in order more effectually of answering the good purposes intended by this plan, the commissioner be also instructed to keep as secret as the nature of the thing will admit, whatever loan he shall be able to obtain for this purpose on account of the United States."

The court as well as the people of Holland, had entertained a strong sympathy for the people of the United States. It was a sympathy at once natural, moral and politic. It was a moral sympathy between the "old republicans of Holland and the "new republicans of America;" while it was the natural and politic feeling of one commercial state towards another commercial state. The kindly sentiments of the people and government towards the United States had induced congress to appoint an agent at the Hague. Mr. William Lee, a brother of Arthur Lee, had for some time past acted in the capacity of commercial agent of the United States at that place.

Mr. Arthur Lee, with his usual activity and zeal, had done much to conciliate the good will of the ministers and public men of Holland towards his country, to gain their respect and engage their interest in its affairs, from the suggestions and motives of policy. With these views he had corresponded with some of the leading men of that country, and had given to them all such information respecting the character of the people and institutions of the United States, of their resources and commercial fa-

cilities, as was calculated to produce an interested and at the same time a moral feeling, advantageous to the cause he had so much at heart. He wrote the following memoir for the reading and commercial men in Holland, and sent it to one of his friends to be published in some of the popular gazettes at the Hague.

"MARCH 31st, 1778.

Monsieur Dumas, a la Hague.

Dear Sir,—I enclose you a memoir written last year, but not sent in consequence of my going to Spain. You will be so good as to show it to your friends, and have it printed if you think that will be of any service.

It is reported from America that a fire has happened at Charleston which burnt 200 houses; and that the Canadians have taken up arms and declared for the United States.*

I am with great respect dear sir, your friend and servant,
ARTHUR LEE."

Memoire of Arthur Lee, referred to in the preceding letter to Mons. Dumas.

"When the ancestors of the present inhabitants of the United States of America first settled that country, they did it entirely at their own expense. The public of England never granted one shilling to aid in their establishment.† Had any such grants existed they must have been on record. The state of England therefore could not claim the benefit of an acquisition it had not made.

* The author has found a note to the Count de Vergennes, containing a benevolent and becoming suggestion to that minister respecting the calamity which had befallen Charleston.

"CHAILLOT, April 17th, 1778.

To the Count Vergennes.

Mr. Lee presents his respects to his excellency Count Vergennes, and encloses a Gazette containing the speeches in the famous debate on the 8th. He begs it may be returned when done with.

Mr. Lee cannot help suggesting that the king has an opportunity of doing an act of great graciousness towards America, in ordering a sum of money for the sufferers in the dreadful calamity of the fire in Charleston, South Carolina. Such an act would be consonant to the character of benevolence and generosity which his majesty so deservedly bears; and in a popular government like that of the United States, it might have a more favourable effect than the efforts of the ablest negotiator.

With profound respect I have the honour to be, &c. ARTHUR LEE."

† Georgia is an exception, for which grants have been made.

Upon this principle the first settlers conceived they *had a right to exchange and sell the produce of their labour to all nations without control.* This right they actually enjoyed unquestioned, until the year 1652. Then it was that the English, in violation of every principle of justice, usurped and established a monopoly of the American commerce, which they maintained until the vigour of their domination compelled the Americans to reclaim their ancient and unalienable rights, by declaring themselves free and independent states. In consequence of this, all nations are now restored to a participation of that commerce, from which the monopolizing spirit of the English had unjustly excluded them.

No nation is more interested in this event than the Dutch; because it was against them the establishment of the monopoly was chiefly intended. The great object of commercial policy with Holland was the *carrying trade.* When the commerce of America was free, the number of Dutch vessels in the American ports exceeded those of England. But in the year 1651 a quarrel arose between the states of Holland and the then republic of England. The English, jealous of their naval power, resolved to destroy that American commerce which contributed so much to the support of the naval strength of Holland. To effect this, the council of state projected and passed on the 1st Dec. 1651 the Navigation Ordinance; by which the carriage of American produce was prohibited, except in English bottoms. The Dutch saw the intention and felt the effects of this measure. Their resentment of it added fuel to the war that raged from that time until the year 1654 with so much fury. Their success however was not sufficient to re-establish what had thus been wrested from them. In negotiating the peace which concluded that war, De Witt laboured with his usual abilities to obtain an abolition of that act, but all his efforts were ineffectual. Cromwell, who was not his inferior in acuteness, maintained the navigation act, and under Charles II. it received the form and sanction of an act of the parliament. Thus in despite of all their efforts, this valuable branch of commerce was wrested from the Dutch, and monopolized by the English.

But what neither the uncommon talents of De Witt nor the struggles of an obstinate war could effect, the course of human events has produced. . The wealth and power arising from this very monopoly so intoxicated Great Britain, as to make her think that there were no bounds to the exercise of the control she had usurped. Not content therefore with thus restraining the Americans for her own emolument *in the mode* of acquiring money, she arrogated to herself *the right* of taking that which was obtained under those restraints. The natural consequence of thus urging her domination, and adding a new usurpation to the former, was the abolition of the whole. America has in form renounced her connexion with Great Britain, and is maintaining her rights by arms.

The consequence of her success will be the re-establishment of commerce upon its ancient free and general policy. All nations are interested in this success; but none so much as the Dutch. From them therefore, America *in a most special manner* looks for support. *Resentment of an ancient injury, the policy of their ancestors, and all their present interests*, unite in calling upon them for a spirited avowal and support of the independence of America. They will not forget the blood that was spilt in endeavouring to vindicate their rights when first invaded. They will not forget the insolence and injustice with which Great Britain harassed their trade during the late war, by means of that very naval strength which she derived from their monopoly. They cannot but feel at this moment the insult and indignity from the British court, in presuming to forbid them that free participation of commerce which America offers.

The extraordinary remittances which the people of America have made to the merchants of Great Britain since the commencement of this dispute, is a proof of their honour and good faith; so much more safe and advantageous is it to trust money with a young, and industrious, and thriving people, than with an old nation, overwhelmed in debt, abandoned to extravagance, and immersed in luxury. By maintaining the independence of America a new avenue will be opened for the employ-

ment of money; where landed property as yet untouched by mortgage or other incumbrance, will answer for the principal, and the industry of a young and uninvolved people would ensure a regular payment of interest. The money holder would in that case be delivered from those continual fears and apprehensions, which every agitation of the English stocks perpetually excite. He might count his profits without anxiety, and plan his monied transactions with certainty. *These are the substantial objects* of advantage which America holds up to the people of Holland; and *this* is the moment of embracing them."

In a long and interesting letter to the committee of correspondence, written subsequently to his letter to Mons. Dumas, Mr. Lee informed them that he had procured the publication in Holland of a memoir he had prepared for the purpose of attracting the attention of the court and public of that country to the affairs of the United States; and that a well informed friend at the Hague had expressed to him an opinion "that it would have a very good effect." His friend, Mons. Dumas, added to the preceding memoir some appropriate and well timed reflections, for which Mr. Lee thus thanks him.

"CHAILLOT, June 4th, 1778.

Mons. Dumas.

Dear Sir,—It gave me great pleasure to receive the key to the treasure you sent us before in Dutch, my unacquaintance with which prevented me from knowing how much I was obliged to you for the improvements made on the little essay I had the honour of sending you. '*Felix, faustumque sit.*' May it open the eyes of your people to their own interest, before an universal bankruptcy in England and a compelled frugality in America have deprived them of the golden opportunity of extricating themselves from bad debtors, and connecting themselves with good ones.

So fair an opportunity of sharing in the most valuable commerce on the globe will never again present itself;

and indeed they are greatly indebted to the noble and disinterested principles of France, which prevented this country from attempting to possess itself of the monopoly which Great Britain had forfeited. In truth they were great and wise principles, and the connexion formed upon them will be durable. France and the rest of Europe can never pay too large a tribute of praise to the wisdom of the most Christian king and his ministers in this transaction.

You are happy in having the esteem and counsel of the Grand Facteur, who seems to have equal sense and good intentions. Our enemies seem embarrassed in their operations, as is generally the case with the weak and the wicked. As far as we can learn their fleet has not yet sailed for America, to save the Howes from the fate that hangs over them. We have no intelligence on which we can rely.

I have the honour to be dear sir, with the greatest respect, your friend and servant, ARTHUR LEE."

On the 8th of April 1778, John Adams, Esq. arrived in Paris. He had been appointed a joint commissioner to France, in the room of Mr. Deane. With this gentleman Mr. Lee had enjoyed previously no personal acquaintance; but their characters and their patriotic and essential services to their common country had been long known to each of them. A personal friendship immediately ensued, and continued during the life of Mr. Lee. The interesting letters of John Adams to him, written during his missions to Holland and England at a highly important period, will be read with earnestness and pleasure by every intelligent reader. They will be found in the Appendix, No. 9.

In the early part of the year 1778, as the reader has learned from history, the British parliament, by the advice of the ministry, who had foreseen the probability and consequences of a treaty of commerce and alliance between France and the United States, authorized commissioners who were named in the act, appointing them to make pacific propositions to the congress. The ministry

at the same time despatched a private agent, a gentleman of much respectability, to Paris, for the purposes of watching the proceedings of the court of France, and of sounding our commissioners on the subject of a reconciliation with England. The following notes of Count Vergennes and Mr. Lee will give the reader some idea of the artful efforts made to obstruct the treaty with France. They will at the same time illustrate the mutual confidence and good faith which existed between the able and amiable Vergennes and our commissioners.

“CHAILLOT, April 24th, 1778.

Sir,—Since I had the honour of seeing your excellency I have learnt that Mr. Hartley in conversing with French people whose opinions he thinks may have weight, insinuates to them, that engaging in a war in our favour is very impolitic, since you can expect nothing from us but the ingratitude and ill faith, with which we have repaid Great Britain. To us, he says, the French have done nothing for you, they can never be trusted; no cordial connexion can be formed with them, therefore you had better return back to your former connexion, which may be upon your own terms if you will renounce France. This gentleman and the wise men who sent him have so high an opinion of our understandings, that they flatter themselves these insinuations will succeed.

I have also been informed that besides their commissioners, the ministry have despatched two persons to America to work privately as Mr. Hartley is doing. One of them is an American; I know them, and both the size of their understanding and the degree of their influence. There is nothing to apprehend from either. These are the little projects of little spirits, and will be attended with proportional success. They show the imbecility and distress of our enemies, and will only change the detestation of America into utter contempt.

I have the honour to be, with great respect, your excellency's most obedient and most humble servant,

ARTHUR LEE.

His excellency Count de Vergennes.”

“VERSAILLES, April 24, 1778.

I am much obliged to you sir, for giving me information touching the insinuations of Mr. Heartley, as well to you as to those whom he thinks have an influence in this country.

I do not doubt of his receiving as little credit with you as he certainly will with us. And I can answer for it that he will not find us susceptible of the suspicions he wishes to inspire.

I am obliged to go immediately to council, and must beg you to accept the assurances of the respect with which I have the honour to be sir, your very obedient and humble servant,

DE VERGENNES.

The Hon. Arthur Lee.”

Previously to this time the British ministry had made an attempt, as unsuccessful as the one just related, to interrupt the amicable relations between France and the United States, and to prevent so hearty an union in the affections of the people of the two countries, as would alienate those of the latter altogether from Great Britain. For these purposes they had engaged an agent, and authorized him to make overtures of reconciliation to our commissioners. The name of this agent was Berkenhout. This gentleman had been a classmate and an intimate friend of Mr. Lee while he was a student at the University of Edinburg. The former intimacy between Mr. Lee and this gentleman had become known to the ministry. Hence he was instructed to commence his efforts by seeking to renew his acquaintance with Mr. Lee, and by cautiously disclosing to him the disposition of the British Court, to propose terms of accommodation. The ministry were doubtless desirous of retrieving the consequences of their violent proceedings against America, and to save Great Britain from the entire loss of so large and important a part of her empire. But they were yet unwilling to acknowledge the independence of the United States. Neither their agents, Messrs. Hartley and Berkenhout, nor their commissioners, whom they had sent to America, were authorized to give any promise or pledge on that subject. The contest had con-

tinued too long, and the people of the United States had been too confident of ultimate success, and had been too deeply smitten with the idea of national independence, to listen to any terms not founded on an acknowledgment of it.

Dr. Berkenhout repaired to France in the latter part of the year 1777, and continued until the year 1778. He addressed a letter to Mr. Lee, inviting him to come to Calais. He gave him to understand that his visit to France was authorized by the court of London, and that he was charged with business of high import to the United States. Their correspondence was carried on under feigned signatures, at the request of Dr. Berkenhout. He soon learned that while Mr. Lee was still true to the amiable and grateful recollections of friendship, he was a bold and inflexible patriot who would not despair of his country, and would indignantly spurn all idea of any connexion with Great Britain except that which may exist between independent nations.

The following notes from Mr. Lee to Dr. Berkenhout will show the reader the spirit in which the ministerial proposals were met by the former, and the degree of encouragement which he gave to the latter gentleman to hope for success in bringing about any amicable understanding, without the previous and positive acknowledgment of the absolute independence of the United States. Notwithstanding the little success which attended Dr. Berkenhout's attempts at Paris, he was subsequently sent to the United States to aid the British commissioners in similar efforts there.*

"August 1, 1777.

Dr. B.—Amico has received and considered your last letter. To your last question he answers you may come if you are properly authorized. But it should be to

* Dr. B. upon his arrival in America addressed himself to Richard Henry Lee, from whom his proposals met with the same stern rejection that they had experienced from the congenial spirit of his brother.

Paris, and not to Calais, because Amico's going thither would excite curiosity and suspicion.

To Dr. Berkenhout."

"December 3, 1777.

Amico,—My last might serve as an answer to your's. We have power to *receive*, not to *make*, overtures. *Voila la difference.* We have as much dignity, and I hope more reason on our side. If therefore they stay for overtures from us, I promise you they will not receive them till their faith can move our mountains. I hoped something from this negotiation, and therefore more willingly lent myself to it. But I now see too well their abundant pride and folly to think the public will derive any advantage from it. They are determined to *make us a great people by continuing a contest* which forces us to frugality, industry and economy ; and calls forth resources which without such necessity would never have been cultivated. I have long thought that if they intended us the benefits their conduct will bring us, we should owe them mountains of gold. Adieu."

The Doctor continued, in spite of these stern rebukes, to continue in France and occasionally to introduce to Mr. Lee the subject of reconciliation with England, with the same result to all his efforts. To a request from the Doctor to disclose to him some intelligence upon which he might adventure in the business of stock-jobbing, Mr. Lee returned him this frank and wise advice.

"January 13, 1778.

Dr. Berkenhout.

Dear Friend,—You could not possibly have written to a more improper person for intelligence to stock-job upon. I am determined that no consideration shall ever prevail on me to contribute to such work, and more especially in my situation. You must therefore pardon me if my friendship for you cannot go so far. Nor indeed can I help dissuading you from entering at all into a walk fre-

quented by knaves and dupes, and in which, from all I have heard of it, nothing can save an honest man from being sacrificed to those who are not so. The acquaintance I have had with political business satisfies me that there is great risk in ensuring on political events. I advise you to think no more of it. Farewell."

All the attempts of the court of London to arrest that progress of events which resulted in the treaties of commerce and alliance between France and the United States, proved abortive alike in both countries. The missions of Messrs. Hartley and Berkenhout, and of the commissioners sent to America, utterly failed.

The author had not known the fact, and perhaps most readers are unacquainted with it, that the "old congress" had invited the celebrated Dr. Richard Price, so well known to politicians as an able writer on the recondite subjects of government and finance, and to the learned world as a profound metaphysician, to become a citizen of the United States, and to assist them in the regulation of their financial systems. They accompanied this invitation with an assurance, that if he should think it expedient to remove with his family to America, "a generous provision should be made for requiting his services." This resolution, so honourable to Dr. Price, is in these words:

"October 6, 1778.

Resolved, that the honourable Benjamin Franklin, Arthur Lee, and John Adams, Esquires, or any of them, be directed forthwith to apply to Dr. Price and inform him that it is the desire of congress to consider him a citizen of the United States, and to receive his assistance in regulating their finances. That if he should think it expedient to remove with his family to America, and afford such assistance, a generous provision shall be made for requiting his services."*

His colleagues devolved upon Mr. Lee the office of

* See Secret Journals, Vol. II. p. 101.

making known the foregoing resolution to Dr. Price. Between them there had existed, while Mr. Lee resided in England, a warm friendship and congeniality of sentiment and opinions, on most subjects of learning and abstract research. The office was therefore a most grateful one, and he performed it with all his heart. It is to be regretted that no copy of Mr. Lee's letter in behalf of the commissioners has been found. The reply of Dr. Price is worthy of him. The reader will greet its insertion here.

“NEWINGTON GREEN, Jan. 1779.

Dear Sir,—Your most kind and excellent letter, together with the letter conveying the resolution of congress, has made the deepest impression on my mind.* I entreat you to accept yourself and to deliver to Dr. Franklin and Mr. Adams my best acknowledgments. Though I cannot hesitate about the reply addressed to the honourable commissioners, and through them to congress, which accompanies this letter, yet so flattering a testimony of the regard of an assembly which I consider the most respectable and important in the world cannot but give me the highest pleasure, and I shall always reckon it among the first honours of my life.

There is an indolence growing upon me as I grow older, which will probably prevent me forever from undertaking any public employment. When I am in my study and among my books, and have nothing to encumber me, I am happy; but so weak are my spirits that the smallest hurry and even the consciousness of having any thing to do which *must* be done, will sometimes distress and overpower me. What I have written on the subject of finances has been chiefly an amusement which I have pursued at my leisure, with some hope indeed, but very little *expectation*, of its being useful. Nothing can be more melancholy than to see so many European states depressed and crippled by heavy debts, which have been the growth of ages, and which in the end

* No copy of Mr. Lee's letter here mentioned by Dr. Price has been found.

must ruin them, but which a small appropriation faithfully applied might have always kept within the bounds of safety. This is particularly true of this country. Here our debt must soon produce a shocking catastrophe. The new world will I hope take warning and profit by the follies and corruptions and miseries of the old.

My pamphlets on the principles of government and the American war, were extorted from me by my judgment and my feelings. They have brought upon me a great deal of abuse; but abundant amends have been made me by the approbation of many of the best men here and abroad; and particularly by that vote of congress to which I suppose they may have contributed. When you write to any of the members of that assembly be so good as to represent me as a zealous friend to liberty, who is anxiously attentive to the great struggle in which they are engaged, and who wishes earnestly for the sake of the world that British America may preserve its liberty, set an example of moderation and magnanimity, and establish such forms of government as may render it an *asylum* for the virtuous and the oppressed in other countries.

Tell Dr. Franklin that he is one of the friends in whom while in this country I always delighted, and for whom I must ever retain the greatest esteem and affection. We are now separated from one another never probably to meet again on this side of the grave. May he long be preserved as a blessing to his country. My connexions and state of health are such that I must stay in this country and wait its fate. I do this with a painful concern for the infatuation which has brought it into its present danger; but at the same time with indifference as far as my own personal interest is concerned, and a perfect complacency in the consciousness of having endeavoured to act the part of a good citizen, and serve the best of all causes. Will you further mention me particularly to Mr. Adams, and inform him that I greatly respect his character.

Some good friends of yours and mine are well, but I differ from them at present in opinion.

Under a grateful sense of your friendship and with great regard, and wishes of all possible happiness, I am my dear sir, your obliged and very obedient humble servant,
 RICHARD PRICE.

P. S.—The interest of mankind depends so much on the forms of government established in America, that I have long thought it the duty of every man to contribute all he can towards improving them. I am possessed of some observations which have been made by a great man with this view, and I may some time or other take the liberty to communicate them with a few additional observations.
 R. P.”

The great object of the mission of Messrs. Franklin, Deane, and Arthur Lee to the court of France having been accomplished by the conclusion of the treaties with that nation, the principal exertions and labours of Mr. Lee during the years 1778 and 1779 were required by his office, and were devoted to his duties of sole commissioner to the court of Spain, and of the acting commissioner to that of Prussia. During this period he aided his brother, William Lee, in his negotiations with Holland. Mr. Lee's attention to the duties of these commissions, and his labours to advance the interests of his country in regard to them, were assiduous, able and patriotic. They were always onerous, always responsible, and generally perplexing. After having obtained loans and warlike supplies from the courts of Spain and Holland, and permission to purchase arms from the Prussian armories, he encountered many difficulties and suffered vast trouble in the selections of the articles, in the necessary arrangements with the merchants, and in the making of arrangements with the subordinate agents and ministers of the several governments, as to the mode of ensuring and shipping them. Some estimate may be formed of the continuance, perplexity and minuteness of the labours of Mr. Lee during the periods just mentioned, from his letters to the “Corresponding Committee” of Congress, and from his Letter Books and Journals, from which have been made the *selections* accompanying

this brief and feeble attempt to present to his countrymen for their gratitude and imitation, a sketch of the character and services of this able and devoted patriot. His labours during the years 1778 and 1779 were successful in some of their most important objects. He obtained in times of urgent need, loans from Spain and Holland, and military supplies from Prussia, on advantageous terms.

During the period of which this brief view has been taken, Mr. Lee continued to act as agent for the state of Virginia, and to conduct negotiations with the court of France for supplies of arms, &c. for that commonwealth. To negotiate for loans and supplies was the least of the trouble and labours of Mr. Lee's official duties. *The details* involved in the *many interviews and arrangements* with the different officers of the French government respecting the Virginia supplies, and the delivery and shipping of them, added greatly and continually to the various other engagements of Mr. Lee. But no labour, however constant and wearying, no details of business however dry and minute, could abate his exertions. An unquenchable zeal for his suffering and struggling country, ceaselessly animated his bosom. The evidence which supports this remark exists in a much greater amount than has been here exhibited to the reader. His conduct was indeed a commentary upon the noble declaration he made in his admirable letter to Lord Shelburne; "I am determined to see the liberties of my country established, or to perish in her last struggle." The continued attention of Mr. Lee to the business of supplies for the state of Virginia, amid his other multiplied engagements, will be seen in his correspondence with Governors Henry and Page, which will be found in the Appendix, No: 4, (c) and No. 8.

Towards the latter end of the year 1778, our affairs with France having assumed the regular form of the relations of an established government, it seems to have been thought by congress that a single national representative to that country would suffice; and that a name of office, importing the dignity of national independence,

was now appropriate to our condition. It was resolved that it was expedient to appoint a minister plenipotentiary to reside at the court of France. In October 1778 Dr. Franklin was elected to fill that office. Our affairs with Spain, Prussia, Holland, and Germany, being still of an indefinite character, *commissioners* only were continued at their respective courts. Mr. Lee was continued sole commissioner to Spain, and acting commissioner at the court of Prussia. A brief attempt has been made to give the reader a general idea of the value of his services during the period which elapsed from October 1778 until the end of the year 1779. He who shall read his correspondence during this time, will perceive that it has been thought better to leave the reader to form a due estimate of the zeal and disinterestedness of Mr. Lee's services from the materials of this memoir, than from an elaborate effort of his biographer to present here a full statement of his labours.

Great and undeniable as had been the patriotism and services of Mr. Lee, he did not escape the malicious insinuations and false charges of detected peculation, and conscious infidelity to public trust; while he experienced the inevitable consequence of an honest performance of duty, the persecution of abating faction. A short period of his life afforded another instance, in addition to the many furnished by the history of all times, that active virtue never passed along its whole career without detraction and injustice. To posterity, and not to contemporaries, patriotism and virtue have ever been most indebted for a just estimate of their claims to admiration and gratitude.

The biographer of Mr. Lee, actuated by the same love of country that distinguished his subject, reluctantly records facts which cast a shade on any period of our revolutionary times. But this reluctance is lessened by the reflection, that while truth requires a glance at this shade, it is to be recorded, that its own redeeming energy and testimony, informing and invigorating the zeal and public virtue which so distinguished the times of the American revolution, quickly dispelled the clouds of error

and injustice from the character of one of the most honest and able of those public servants who had given success and lustre to that eventful and glorious epoch.

When, in the latter end of the year 1779, it had become expedient to appoint a minister plenipotentiary to the court of Spain, and one or more to negotiate a treaty of peace with Great Britain, (which it was now probable Great Britain would consent to make with us as an independent nation) Mr. Lee, though nominated, was not elected to either of these honourable and important stations. Any reader of ordinary sagacity and sensibility, will at once perceive that at least an apparent affront was offered to him. A person of less sensibility than he would have felt mortification, if not resentment.* After the long and important services of Mr. Lee at the court of Spain, to which may be so justly ascribed the friendly understanding that had existed, and that was now on the eve of a successful consummation in the conclusion of a treaty recognising the independence of his country, the propriety and justice of conferring upon him the honour of the appointment of first minister plenipotentiary to that court, would seem clear and indisputable.† As soon as he received intelligence of this appointment he resolved to return to America, and resign all employment under the congress. The reader may perhaps wonder that so long as he could render any service to his country abroad, the ardent and disinterested patriotism he had so long exhibited had not induced him to remain in Europe, consenting to sacrifice his feelings to the public good. The following *sketch* will suffice to acquit him of all undue regard to personal considerations of pride and etiquette. The many testimonies of the public respect and gratitude he received upon his return, make it unnecessary to go into much detail of the reasons which led him to return, and of the circumstances which rendered his pre-

* It will be seen by inspecting the vote, that the vote for Mr. Lee was numerous and respectable.

† It was surely meet that to him should have been afforded the opportunity of concluding a treaty with a nation with which he had so early, so long, and so ably negotiated, and of thus gloriously crowning his arduous labours and ardent wishes.

sence in America an imperative duty to himself and his country.

It was of necessity that the congress employed many commercial agents; and an equal necessity obliged them to authorize their commissioners to employ sub-agents to attend to details of business which it was impossible for the commissioners themselves to transact. Owing to the distance from the residence of the commissioners, of the places where the disbursement of the public moneys was made in the purchase and shipment of warlike supplies, which at this time could be purchased only in Europe, and the absence of a regular system of accountability, it was extremely difficult if not impossible, to secure a faithful application of the funds of the public, when it necessarily depended on the honesty alone of the agents employed. Such is the desire of gain, such is the "*sacra auri fames*," that in almost every instance the agents employed by congress and by the commissioners, and the merchants with whom contracts were made, proved regardless of principle, and amassed wealth for themselves at the expense of the United States. This state of things existed to an extent which at this day would appear almost incredible. Against this abuse Mr. Lee uniformly, actively, and with an uncompromising spirit, opposed all the authority and restraint he could exercise. This course excited against him, as he was aware it would certainly do, the most intense dislike. The most desirable object to these faithless agents was to procure his dismissal from the public service, and his recal to the United States. Various and malignant arts were employed and unceasing efforts were made to attain their purpose. He was a subject of their constant abuse and complaint. They secretly charged him with a concealed attachment to England, and insinuated that he was in truth little better than a spy upon his colleagues in the interest of the enemy. They first endeavoured to excite a suspicion and distrust of him in the minds of the French ministers; but failing to effect this design they next strove to infuse into the minds of their friends and connexions in America the strongest prejudices against him, by writing thither re-

specting him the grossest falsehoods. They represented to them that he kept up an intimacy and correspondence with Hartley and Berkenhout, of the true nature of which the reader has been informed. Their friends naturally believed their representations, and imbibed their dislike and enmity. Many of these agents were of respectable families in America, and some of them had relations and friends in congress. By the joint effect of arts and of falsehood, operating on the sympathy of their friends in and out of congress, they at length succeeded in raising up a faction in that body and out of it, bitterly opposed to and resentful against him. Hence the result of the elections in congress which have just been mentioned; for as several persons were nominated, this faction, by joining their numbers to the vote for any other candidate than Mr. Lee, defeated his election.

He had long discovered the means taken by the dishonest agents of the public in Europe, to traduce and injure him in America. He had been well aware of the extent and strength of the connexions of some of them in congress, and had contemplated the possible success of their efforts to produce an unfavourable impression concerning him on the minds of its members. But a fearless and disinterested zeal for the interests of his country, a consciousness of his fidelity to her cause, and of an honest performance of every duty in her service, rendered him proof against their assaults. He confided in the virtue of his countrymen for a just and grateful estimate of his labours and patriotism. He did not underrate their virtues, as the sequel of this memoir will show.

Mr. Lee continued during the period of two years, notwithstanding the malevolence of the public defaulters, and the injuries they were continually inflicting on his feelings and character by their misrepresentations, to pursue, detect, and denounce them. He acquainted congress with their peculations, and pledged himself to make good his charges against them. Upon his arrival in America he redeemed the pledge he had made to congress, and proved to their conviction, and to the satisfaction of the

country, the defalcations of many of the public agents. He broke down the hostile faction, and triumphed over its machinations. During the whole of this contest Mr. Lee retained the unabated confidence and friendship of the most undoubted and distinguished patriots of that day. The two Adamsses, Lovel, Dana and Gerry, of Massachusetts; Livingston, Morris, &c. of New-York; Dickenson, M'Kean, Wilson, Rush, of Pennsylvania; Johnson and Chase, of Maryland; Henry, Pendleton, the Pages, Bland, Wythe, Monroe, of Virginia; Laurens and the Rutledges, of Carolina, were all the firm friends and admirers of Arthur Lee.

It has been mentioned that the enemies of Mr. Lee endeavoured to infuse into the minds of the French ministry a suspicion that Mr. Lee was not heartily attached to the cause of his country. They alleged as proof that he had many friends in England, and that Dr. Berkenhout had been known to correspond with him. The reader has seen the purport of the correspondence between that person and Mr. Lee, as well as that of his correspondence with the French minister respecting Hartley's mission to France. While an effort was made to render Mr. Lee's fidelity questionable in the minds of Vergennes, Neckar, Montbarey and others, it was positively asserted in America that he had lost the confidence of the French court, and was personally obnoxious to its ministry. The scanty selections in this memoir from the confidential correspondence between the members of the ministry just named and Mr. Lee, as one of the commissioners, and particularly as agent for his native state, reaching through the whole term of his residence in France, sufficiently refutes these falsehoods. The assertions of his enemies in America, that Mr. Lee was not trusted by the French court and was suspected by his own, had been made in some of the public prints in the United States, and sent to France. John Adams, who had succeeded Silas Deane in the commission to France, and had acted for more than a year with Mr. Lee, had become entirely convinced of the utter want of truth in the insinuations and charges made against him, and of the ability and integrity with which he had served his country. As soon

as the printed charges against him reached France Mr. Adams, without Mr. Lee's knowledge, with that ingenuousness, promptitude, and honesty of purpose, which so strongly characterized him, addressed the following letter to Count Vergennes.

"PASSY, Feb. 11th, 1779.

Sir,—As your excellency reads English perfectly well, my first request is that you would do me the favour to read this without a translation; after which I submit it to your excellency to make what use of it you may think proper.

I have hitherto avoided in my single capacity giving your excellency any trouble by letter or conversation; but the present emergency demands that I should ask the favour to explain my sentiments, either by letter or in person. If you will permit a personal interview, I am persuaded I could make myself understood. If you prefer a correspondence I will lay open my heart before your excellency.

It is the address to the people in America under the name of Mr. Silas Deane that has occasioned this boldness in me. It is to me the most unexpected and unforeseen event that has happened. I hope your excellency will not conclude from this that I despair of the commonwealth. Far otherwise; I know that the body of the United States stands immovable against Great Britain; and I hope this address of Mr. Deane, though it may occasion trouble to individuals, will produce no final detriment to the common cause; but, on the contrary, will occasion so thorough an investigation of the several things, as will correct many abuses.

It is my indispensable duty upon this occasion, to inform your excellency without consulting either of my colleagues, that the honourable Arthur Lee was as long ago as 1770 appointed by the house of representatives of the Massachusetts Bay, of which I had then the honour to be a member, their agent at the court of London, in case of the death or absence of Dr. Franklin. This honourable testimony was given to Mr. Lee, by an assem-

bly in which he had no natural interest, on account of his inflexible attachment to the American cause, and the abilities of which he had given many proofs in its defence. From that time to the year 1774 he held a constant correspondence with several of those gentlemen who stood foremost in the Massachusetts Bay, against the innovations and illegal encroachments of Great Britain. This correspondence I had an opportunity of seeing; and I assure your excellency, *from my own knowledge*, that it breathed the most inflexible attachment to, and the most ardent zeal in, the cause of his country. From September 1774 until November 1777, I had the honour to be in congress, and the opportunity of seeing his letters to congress, to their committees and to individual members. *Through the whole of both those periods he communicated the most constant and certain intelligence*, which was received from any individual within my knowledge. And since I have had the honour of being joined with him here, I have ever found in him the same fidelity and zeal; and I have not a glimmering of suspicion that he ever maintained an improper correspondence in England, or held any conference or negotiation with any body from thence, without communicating it to your excellency or to his colleagues. I am confident therefore that every insinuation and suspicion against him, of infidelity to the United States, or to their engagements with his majesty, are false and groundless, and that they will assuredly be proved to be so.

The two honourable brothers of Mr. Lee, who are members of congress, I have long and intimately known; and of my own knowledge I can say that no men have discovered more zeal in support of the sovereignty of the United States, and in promoting, from the beginning, a friendship and an alliance with France. There is nothing of which I am more firmly persuaded, than that every insinuation that is thrown out to the disadvantage of the two Mr. Lees in congress, is groundless.

It would be too tedious to enter at present into a more particular consideration of that address. I shall therefore conclude this letter, already too long, by assuring

your excellency that I am, with the most entire consideration, your most obedient and most humble servant,

JOHN ADAMS.

To his excellency the Count de Vergennes."

Some months after Mr. Adams, thus unsolicited by Mr. Lee, had written the above manly letter to the Count Vergennes, Mr. Lee requested of Mr. Adams, previously to the departure of the latter from France for the United States, to state his opinion of the character of his conduct and services, while they were joined in the commission to the court of Versailles. In complying with Mr. Lee's request, Mr. Adams wrote to Mr. Lee the following characteristic and interesting letter.

"L'ORIENT, June 2, 1779.

Dear Sir,—Your favours of the 4th and 5th are now before me; that of March 29th I have answered, if I ever received it, for I have answered every one I have received from you, but not having my papers at hand cannot be particular. I thank you for the MS. and the pamphlet.

I am happy to hear from you and from all others, so agreeable a character of the Chevalier de la Luzerne and Monsieur Marbois, the last of whom I have had the pleasure to see. I wish it were in my power to do more for Mr. Ford, and to take him with me, but the frigate will be so crowded that I fear it will be impossible. The declarations of the northern powers against England, to stop their merchant vessels, and arming to support their rights, are important events. The displacing Mr. Paine is a disagreeable and an alarming one.

It is with no small astonishment I learn by your letter of the 5th, that by advices from America since your last to me, your enemies are determined to impeach your attachment to our country and her cause. Your request that I would give my opinion on that subject, from the knowledge I have had of your conduct while we acted together in the commission, can meet with no objection from me.

But I hope I need not inform you that my opinion on this point is no secret at Versailles, at Nantz, or elsewhere. I enclose a copy of a letter, I did myself the honour to write to the Count de Vergennes some time ago, which, for any thing I know, is communicated to all the court. The answer shows it was received. I had my reasons then for keeping it to myself, which exist no more. I would transcribe the whole correspondence, if it were in my power, but I have not time. It is sufficient to say, that it was conducted by his excellency with the most obliging politeness. It is my duty now to furnish you with a copy, lest any accident should befall me, which is by no means improbable. I thought then, and am now confirmed in that opinion more and more, that it was my duty to communicate my sentiments to the court upon that very extraordinary occasion; and from regard to my own reputation, I am glad you have given me an opportunity of furnishing you with evidence, that I did that part of my duty, so far forth. The letter was written, sent to Versailles, and received by his excellency, before the arrival of the Marquis de la Fayette, his aid de camp, or Dr. —, that is before the news reached Passy, of the new arrangement.

But lest the letter should not be sufficient, I shall enclose another certificate, not without a heartfelt grief and indignation, that malice should be so daring and barbarous, as to make either such a letter or such a certificate from me necessary or even pardonable. Your hint, that I must correct some things that are amiss, extorts from me an involuntary sigh! I shall be in a situation, critical and difficult without example; my own character at stake from various quarters, and nothing to support me but truth and innocence; and *you* need not be informed, these are not always sufficient. I have little expectation of doing good: God grant I may do no harm. I shall not designedly. But I suppose congress mean to examine me as a witness, and I must tell the truth, the whole truth, and nothing but the truth, so far as I know it.— If the task should end here, I shall not be much embarrassed, but if they proceed to demand of me opinions and

judgment of men and things, as there is reason to expect they will, although I hope they will not, what will be the consequence?

Upon the whole, truth must be my shield, and if the shafts of interested malice can pierce through this, they shall pierce me.

I have the honour to be, with the highest respect, dear sir, your obedient servant,

JOHN ADAMS.

To the Hon. Arthur Lee."

It has been said that Mr. Lee had resolved to incur that enmity and opposition of public defaulters and their friends, both in France and in the United States, which he knew would follow a fearless performance of his duty. Two of his letters, written at different periods, one addressed to the corresponding committee of congress, and the other to a friend in Virginia, will exhibit sufficiently for the present purpose of his biographer, the conduct of those whom he had offended, in the course of his official duties. The letter to the committee will be found in Mr. Lee's correspondence with congress, in the 6th No. of the Appendix, dated 1st June 1778. His letter to his friend in Virginia is here inserted. Both letters contain much more agreeable matter than that which relates to the immediate subject here referred to.

"PARIS, Dec. 13th, 1778.

To Theodoric Bland, Esq.

My dear friend,—On the 9th of this month I received yours of the 19th July. If a Mr. Archer gets safely to America you will receive a letter by him which will prove that you live not only in my memory but in my warmest friendship. It gives me the greatest pleasure to find that, notwithstanding the long absence and interval of our correspondence we harmonize in the same wish to renew it.

I should have been very much surprised if either you or I had rested in retirement while the cause of liberty and our country was in issue. We have acted exactly

conformable to the principles we always avowed and actually felt. For myself there never was a moment since I could distinguish between good and bad, that I would not have stood forth in opposition to arbitrary power, whatever shape it assumed. I believe the same of you; and the similarity of our sentiments have knit me to you, with an esteem that can never vary.

I observe that of the misfortunes that have happened to our troops, nine out of ten have arisen from want of vigilance. I am the more surprised at this because I believe there never was a soldier of more circumspection than your commander in chief. It seems the fate of poor Col. Baylor and his troops was owing to his being surprized. This, I hope, is the last mishap that will befall you. Some foreign officers who have returned speak highly of the discipline of your army, and the enemy seem to have no superiority to boast of. Even at London they despair of any conquest, and are for desolating out of revenge what they can neither conquer nor retain.

I see by the public prints with you that my quondam colleague is assuming all the merit of what has been done here, and I know is forming a faction against your friend. I should never have opened my lips on this subject, did not their assuming merits which they do not deserve, make it an act of duty to state the facts. So far then were my colleagues from having any peculiar merits in the treaties, that it was with the greatest difficulty I persuaded them to insist on the acknowledgment of our independence and recognition of our sovereignty. These were proposed by your friend, evaded by his colleagues, and only admitted after being re-urged in a manner that made them apprehend the consequences of an opposition they could not justify. It was also in spite of the opinion, reasonings and even remonstrances of your friend, that they would insert two articles of the treaty which were unanimously condemned by congress, and have been expunged here. After this one would imagine they might have been contented with an equal share of praise, when in truth their conduct merited censure. They will force me one day or other to bring the proofs of these

things before congress and the public, when I am sure they will shed some of their borrowed plumes.

I look forward with hope to the time when a peaceable establish ment of what we are contending for, will permit us to retire to the private walks we have been forced to quit. To the enemies who have risen up against me personally, it seems my place is an object of envy. I tell you, my friend, I have experienced more cares and anxieties in two years' occupation of it than in all my life besides. You may therefore guess that when the public shall think my services no longer necessary I shall not repine at being dismissed. But it is not a little unpleasant to be deprived of that praise that constant toil and assiduity in the public service have deserved, and submit to be traduced by those who, instead of consulting the public interest when in office, have made immense private fortunes for themselves and their dependants; who are occupied in two things only, their own gain and the abuse of every one who will not sacrifice the public to their views. Mr. — is generally understood to have made £60,000 while he was employed here, and Dr. Bancroft his clerk, from being penniless, keeps his —, his house, and his carriage. Mr. — from being a clerk in a sugar-bake house in London, is become a capital merchant here, loading a number of ships on his own account, while gentlemen of the first fortunes in America cannot get remittances on credit for their subsistence. These things are notorious, and there are no visible sources of this prosperity, but the public money, and state secrets to trade upon. It may be useful to you to know these things as they concern the public. My opposition to these proceedings have made all that are concerned in them my bitter enemies.

I am afraid the objection of religion is an insurmountable bar to your scheme of putting your nephew in the French navy. I know it was so to the admission of my nephew into the Ecole militaire here. But I will make particular enquiry and let you know. Remember me to our common friends, and believe me to be with sincerest friendship, yours, &c.

ARTHUR LEE."

Mr. Lee having determined to return to the United States, sailed from France in the month of August 1780, and arrived in Boston in the month of September. He was received with most flattering marks of respect and gratitude by the people of Massachusetts and with the warmest greetings of his friends in Boston. He had the gratification of finding around him on all occasions the most distinguished and approved whigs. During his stay in Boston, though that was short and his time continually occupied by public and private invitations, he wrote a long and earnest letter to the Baron de Breteuil one of the most influential members of the French ministry, pressing upon him the necessity to the common cause of aiding the United States with a loan of specie; thus continuing to exhibit at all times a ceaseless anxiety for the public interest, and to make exertions for its advancement, the motives of which cannot be impeached with a desire of gaining applause, since they were made in private modes altogether secluded from the public eye. The letter to the Baron de Breteuil will be found in the Appendix, No. 8.

After remaining a short time in Boston, Mr. Lee proceeded to Philadelphia. On every part of his journey thither he was honoured by the purest patriots of the day, and by popular applause. From Boston he carried with him letters of introduction from eminent men, distinguished for their public services and for their learning to men of similar distinction in the different states through which he passed. Among his MSS. of this description, the author has found several letters from Dr. Cooper, a distinguished scholar and divine. As these letters were written by eminent and disinterested men, at a time when Mr. Lee had been attacked in the public journals of the time, by a faction containing some persons who had been regarded as patriotic, they are more valuable than ordinary letters on common occasions, because they show the estimate formed of his character and services by them. With this view of their value some of them are here inserted with a hope that they will thus be preserved. The author has selected from

the letters of the description mentioned one of the patriot Elbridge Gerry, and the letters of Dr. Cooper, which are remarkable for their elegance of style and felicitous variation in the expression of similar ideas and sentiments.

"BOSTON, Sept. 21, 1780.

Sir,—This will be delivered to you by the Hon. Mr. Lee, who has lately arrived here from France in the Alliance frigate, and purposes to set off this morning to the southward. During his short stay in this city he has confirmed such of the principal inhabitants of this state as have had the pleasure of his acquaintance, in their opinion of his zeal, integrity, and abilities in the common cause; and they have endeavoured to show him every mark of their esteem and respect. But as your excellency's knowledge of this gentleman's character renders it needless to speak of his merit, I shall only add, that he will be able to give every useful information respecting the state of our foreign affairs, and many useful hints of measures necessary to be adopted by the states.

I have the honour to be sir, with the highest esteem and respect your most obedient and humble servant,

E. GERRY.

His excellency George Clinton."

"BOSTON, Sept. 19th, 1780.

My Dear Sir,—This will be delivered to you by the Hon. Arthur Lee, who lately arrived here from France, and is now going to Philadelphia.

I need not mention to you the political or literary accomplishments of this gentleman, by which he has attracted such esteem in Europe as well as in America; the early and decided part he took in favour of our liberties; his important public employments; or the zeal and firmness with which he has served the United States. To these things you are no stranger. But the opportunity of knowing a gentleman of whose distinguished reputation you were before acquainted, and of paying any offices of friendship to such a friend of our country, must be highly pleasing to you.

I am sir, with much respect and affection, your obedient servant,
 The Rev. Mr. Elliot.”
 SAMUEL COOPER.

“ BOSTON, Sept. 19, 1780.

My Dear Sir,—You will receive this from the hand of the Hon. Arthur Lee, who lately arrived here from France, and will pass through New-Haven on his way to Philadelphia. To one so well acquainted with those great characters who have stood forth in the American cause, and whose distinguished political and literary abilities have defended and advanced it, I need only mention the name of Dr. Lee. You know all the rest; and how much our country is indebted to the uncommon services of this gentleman. Should he find an opportunity, it will give him great pleasure to visit that seat of learning over which you so honourably preside.

Wishing it prosperity, and the most brilliant success to all your exertions for the promotion of knowledge and virtue, I am sir, with much respect and affection, your most obedient humble servant,
 SAMUEL COOPER.
 The Rev. Dr. Stiles.”*

“ BOSTON, Sept. 19, 1780.

My Dear Sir,—The Hon. Arthur Lee, who not long since arrived here from France, will probably pass through Middletown on his way to Philadelphia.

The bare mention of this gentleman's name must immediately recall to your mind his steady patriotism, his important public employments, and the long series of services which from the commencement of our troubles his distinguished literary and political abilities have rendered to the cause of America.

You will be highly pleased, I am persuaded, with an opportunity of conversing with this gentleman, and of rendering any offices of friendship to such a friend of our country.

Wishing you and your family all good things, I am dear

* The venerable President at this time of Yale College; one of the profoundest scholars and writers of any country.

sir, with great respect and friendship, your humble servant,
SAMUEL COOPER.*

The Rev. Mr. Huntington."

As soon as Mr. Lee arrived in Philadelphia he requested of congress permission to address that body, in vindication of his character and conduct from the charges which had been publicly made against him, and which derived, as he thought, some weight or appearance of credibility from the fact that he had been left out of the late missions to Europe. The congress resolved that no charge against him had been entertained by them, and that it was never intended to fix the least censure on any part of his public conduct.† The author has in his possession, in the handwriting of Mr. Lee, an able and elaborate speech which he prepared with a view to deliver it before congress. He meets all the criminations of his enemies, (of the nature of which the reader has some idea) and confutes them by irresistible arguments, and ample and authenticated proofs of their falsehood. He had prepared the evidence in an arrangement suited to that of the speech. This evidence consists of documentary testimony. Wherever the least doubt could be entertained of the genuineness of the copy, he has procured the attestation of disinterested and well known persons. The greater number are examined and attested by John Adams. This speech, and the documents attached to it, are not deposited with the other papers of Mr. Lee in the library of Cambridge University, but are carefully preserved by the author. The many subsequent and honourable testimonials given by the congress and the public to the patriotism and integrity of Mr. Lee, render it unnecessa-

* The above letters, and the characters to whom they were addressed, afford a pleasing evidence of what is generally known, that the Christian ministers of America in the revolutionary time were ardent patriots and decidedly and universally friends to civil and religious freedom. The author, who is honoured with an extensive and intimate friendship with many of all denominations, can testify how groundless are the charge and the fears (generally the offspring of ignorance and wickedness combined) expressed by men of the world, and particularly by a certain class of politicians so called, that the Christian clergy are aiming at temporal power, and are attached to arbitrary systems.

† See Journals 6th, p. 246.

ry to insert here this speech and its accompanying papers. The author however cannot refrain from inserting the exordium of the speech, as it contains a grateful tribute of homage from an American patriot (who had enjoyed an opportunity of knowing from personal observation the truth of what he said) to the character of our ally of the revolution, the generous, the amiable, and the unfortunate Louis, of France. The speech begins with a conciseness and energy, worthy of the occasion and subject which the author was contemplating. Quintilian would have selected it as a model.

“Mr. President,—I return to you, in consequence of the resolution with which I engaged in this cause, to see the liberty of my country established, or to perish in her last struggle.

When I took leave of the court of Versailles as one of your former commissioners, his excellency the Count de Vergennes presented me with a gold enamelled snuff-box, containing the picture of the king of France, set with diamonds. The minister accompanied it with an assurance that he delivered it to me as a mark of the esteem of his sovereign. In my judgment no period ever produced a prince whose esteem was more valuable. His portrait is engraven on my mind by the virtue and justice which form his character; and gold and jewels can add nothing to its lustre.

This testimony of his majesty's esteem, however flattering to me, I received with a resolution of holding it at your disposal only. I therefore now beg leave, agreeably to what I think my duty, to deposite it with congress; for I esteem it of dangerous consequence, that any republican should receive presents from a foreign prince, or retain them without the knowledge or consent of the republic.* Still more dangerous and unbecoming is it to measure the merits of those employed in the public service by them, or to make their characters depend on com-

* It is highly probable that this sentiment of Mr. Lee was adopted into that article of the present constitution of the United States, which prohibits an American citizen holding an office, from accepting titles or presents from foreign princes.

plimentary letters and praises from the followers of the court where they have resided. It is the most sure of all possible methods, to make them subservient where they ought to be independent, and lead them to substitute intrigue in the place of a due discharge of their duty, or sacrifice the interests of their country to the inclinations of a foreign minister. If they do their duty to their country, their constituents ought best to know it; and the reward they are pleased to bestow upon them, is the sole and sufficient recompense becoming the dignity of a free citizen to possess."

Mr. Lee, instead of being called by congress to vindicate himself from the charges which had been so falsely and undeservedly made upon him, was requested by a vote of that body, to lay before them all the information he possessed, respecting the foreign affairs of the United States. This vote was made known to him in a respectful letter from the president. It may be proper to state that Mr. Lee accounted, to the satisfaction of congress, and of the state of Virginia, for all sums of money which had been received or loaned by him, for the public service.

Mr. Lee now returned to private life. He was not long permitted to remain in its quiet and soothing scenes and enjoyments. In the spring of the year '81 he was elected by the freeholders of Prince William County, in his native state, a delegate to the assembly of Virginia.* By this assembly he was elected, in December of that year, a deputy to the general congress. In this illustrious body, he served from February '82, until the year '85. During this period, he served throughout its long sessions, with punctuality and diligence. It is believed that he seldom took part in the debates; but he acted with ability and efficiency on most of its important committees. Whenever he did address the house, his speeches were clear and argumentative; vigorous in their style, and full of philosophic reflections and useful information.

* This was not the county of his nativity or residence; but he was eligible, being a landholder in it. A resident of Virginia, being a freeholder in any county, was eligible to represent it, though not an inhabitant of it.

Before the reader is made acquainted with the last services of Mr. Lee as a public man, the author begs permission to refer in this place to a subject, which he has in another part of this memoir promised to recur to. It has been stated, that Dr. Franklin and Mr. Lee had been, for several years of their acquaintance and service together as public men, attached to each other by the ties of a friendship, cemented by mutual admiration, congenial political sentiments and views, and by scientific taste and acquirements, but had become estranged from each other to the regret of their common friends. The cause of this requires some explanation, because many references to this circumstance are contained in the writings of Mr. Lee which could not be omitted, and because the reader will find such men as Sir Wm. Jones regretting the separation of these citizens.

The separation between Mr. Lee and Dr. Franklin was caused by the insidious acts of those public agents, whose unfaithfulness Mr. Lee had been impelled by a sense of duty to expose. Some of them had been acquainted with Dr. Franklin in America, and had enjoyed his confidence, which they then deserved. Dr. Franklin was by nature, of an easy and confiding disposition; and age had added to this inherent indisposition to doubt and contention. At the time of his going to France, he had attained an advanced age. The reader will remember that he declined the mission to Spain, to which he had been appointed by congress shortly after his arrival in France, "on account of his infirmities." He was now therefore indisposed to action, and to those duties the performance of which required activity and vigilance. The immunities and privileges of age were cheerfully extended to him by his younger colleagues. Hence the frauds and irregular proceedings of agents, who did not act immediately under his eye, were not so soon descried, nor so clearly seen by him as by Mr. Lee, whose vigour and health, yet unimpaired by years, permitted him to undertake the more minute and laborious duties of the commission, and whose active habits led him through a more enlarged sphere of action and investigation. The

charges of Mr. Lee were denied; and his suspicions, which afterwards were proved to be well-founded, were declared to Dr. Franklin to be the suspicions of a petulant and unamiable temper. He permitted his mind to be affected by these representations; and being disinclined to laborious examinations of accounts, and to a scrutiny into the conduct of others, which would necessarily offend them, and thus ruffle the "even tenor of his way," he at length lent a doubtful ear to Mr. Lee, while he turned a willing one to those, whose object and policy induced them to wish to avoid the control of his energetic colleague. His kind and unsuspecting disposition was imposed upon and deceived. He became cold and distant in his manners towards Mr. Lee; and gave a degree of countenance to defaulting agents, which proved injurious to the public interests. Mr. Lee resented this conduct on the part of Dr. Franklin, and openly and fearlessly stated its consequences to the United States. A rupture at last took place; and their broken friendship was never repaired.

In the year 1784, while Mr. Lee still remained in congress, he was appointed by that body one of a commission to make treaties with all the tribes of Indians on the northern and north-western frontiers of the United States. He kept a regular journal of his travels from Philadelphia to the lakes and Fort Stanwix, through the western part of Pennsylvania. He examined the country through which he passed with the eye of a statesman and a philosopher. He traces the course of its rivers, and their possible connexions; and describes the various soils, productions and minerals, which his time and duties permitted him to ascertain.

He turned his acute and active mind, at this time, very earnestly to the study of the origin, languages, customs and character of the aboriginal inhabitants of North America. To aid his investigation of this interesting subject, he obtained the acquaintance and correspondence of several learned Moravian scholars at Bethlehem and Leditz, in Pennsylvania, who had at a very early period of the settlement of that state, been sent by the pious and be-

nevolent sect of christians, to which they belonged, as missionaries among the Indians. From one of those excellent men, he obtained a learned essay on the origin, customs, religion and language of the Algonquin and Iroquois races. This learned Moravian, who had long and profoundly studied these subjects, had been convinced, particularly by the similarity of languages, in their roots especially, that our Indians are descendants of the lost tribes of the Jews, whose ancestors at some remote period he supposed, had crossed over the Straits of Behring from Asia.* Some additional interest was imparted to this journey of Mr. Lee, by the presence of our national favourite and friend, Lafayette, who, with his characteristic zeal for our country, accompanied the commissioners, to assist them by the influence of his name, in conciliating their red brothers. The reader will find in the Appendix, No. 9, a letter on this subject from Lafayette, and Mr. Lee's answer.

Mr. Lee remained at Fort Stanwix during an entire winter, amid the intense cold of that region. Early in the ensuing spring he commenced friendly "talks" with the Indians, and concluded treaties with most of the hostile or undecided tribes. He has left many of his speeches made on these occasions, which are happily adapted to the character of their minds, in the simplicity, energy and conciseness of their style. His services were highly satisfactory to congress and to the country.†

On the return of Mr. Lee to his seat in congress he was appointed to one of the most important and confidential posts in their disposal—a seat at the board of treasury. The financial affairs of the United States had become complex and confused. Congress, by an ordinance passed in May 1784 put the department of finance into commission. The commission, consisting of three persons, was styled "the Board of Treasury."‡ Every reader who has attended to the fiscal concerns of

* Whoever reads with attention the account of Long's Expedition, will find this opinion strongly corroborated.

† Only a part of Mr. Lee's Journal has been preserved. Extracts from it will be found in the Appendix, No. 11.

‡ See Journals, vol. ix. p. 255.

the "Old Confederation," will readily comprehend the importance and the difficulties of the duties and operations of this board. Mr. Lee served in the capacity of a commissioner of the board of treasury, from the year 1784 to 1789, with the diligence and efficiency which had distinguished him in every previous public employment. In the year 1787 a committee was appointed by congress to consider what offices in the civil department had become unnecessary. Upon the report of this committee it was resolved unanimously "that Samuel Osgood, Walter Livingston and Arthur Lee, commissioners of the board of treasury, appointed in pursuance of an ordinance of congress, passed May 28th, 1784, for putting the department of finance into commission, with all the powers and duties appertaining to the said board of commissioners be, and the same are hereby continued to the 10th November 1789."* During the continuance of Mr. Lee at the board of treasury, he was appointed in October 1786, by a joint ballot of the senate and house of delegates of Virginia one of a commission to revise the laws of that commonwealth. He aided greatly the labours of those with whom he was associated in this important task. In November 1789, the board of treasury was dissolved by force of the resolution of September 1787. Mr. Lee then retired to private life. But the situation of the affairs of the country did not permit his mind to abstract its attention and anxieties from them. The plan of the present federal constitution about this time occupied the intense consideration of politicians, and excited the hopes and fears of the people of the United States. Mr. Lee performed the part of a wise citizen, and deeply and solemnly investigated the theory, principles and provisions of this celebrated instrument. He viewed it with jealousy, and in common with many of the ablest patriots of that day, considered it as the basis of a consolidated government. He opposed its adoption. His opposition to it however was not the result of prejudice, nor inconsideration. He investigated it with calmness, and with an honest desire to

* Journ. xii. p. 142.

reach a just conclusion on a subject of the highest importance to a citizen, and of lively interest to a friend of human rights and of the liberty of mankind.

Although the conclusion of his reflections was adverse to the constitution in its original form, it is known that his dislike to the federal constitution greatly abated if it were not entirely removed, by the amendments he lived to see adopted.

One of the most abundant sources of enjoyment which contributed to his pleasures in private life, was his correspondence with his political, literary and scientific friends in America and Europe. Among these were many distinguished men in England, Burke, Barré, Windham, the Marquis of Lansdowne, Sir William Jones, and the Earl of Buchan, in Scotland; on the continent, the Marquis of Rosignan, Baron de Breteuil, Count de Moustair, Abbes D'Arnou and Raynal, the Duke of Rochefoucault, and other persons of literary and political eminence. He enjoyed the correspondence of most of the distinguished men of the United States. The correspondence of such men soothed his spirits and cheered and relieved the disquietudes, anxieties, and labours of his political career, and imparted rich enjoyments to the pleasures of private life. With many of them he continued to correspond until his death, and received the frequent and grateful assurance of their respect and friendship.* In the 9th and 10th Nos. of the Appendix, the reader will find the letters of many of the most eminent men of their day, which time and accident have left. An interesting letter in which Mr. Lee renewed his correspondence with the Marquis of Lansdowne, after peace between the two nations had removed the seeming impropriety of intimate intercourse, is here inserted.

“PHILADELPHIA, July 23d, 1783.

To the Earl of Shelburne.

My Lord,—Among the blessings of peace I number that of being able to renew my correspondence with a

* The remaining letters of Mr. Lee to his American and foreign correspondents are found in No. 8, Appendix.

nobleman I so much respect and esteem. For that peace, honourable to America, and as much so in my judgment for England as the actual situation of things could give any colour of reason to expect, your country and America are indebted to your lordship's wisdom and firmness.

Upon my word, my lord, did I not know so much of the politics of St. James' and St. Stephens', I should be lost in wonder at the vote in the house of commons and the treatment your lordship has received. But I shall never forget Lord Chatham's expression, 'I was duped and deceived.' The outrageous wickedness of visiting upon your conclusion of the war, the evils which the folly of its commencement, and the rapacity, cruelty and profusion of the conduct of it produced, sprung from the same source with the deception practised upon Lord Chatham, which he so emphatically detailed in the house of peers.

I always judged that the author of those measures, who cannot be said to cover himself with the *majesty of darkness*, though he meant the subjugation of America, would in fact conduct her to independence. I judged, too, that he would in the end, bring himself to ruin. Nothing, surely, can more accelerate this event, than introducing again into high office the ostensible minister of those pernicious measures. For as to his whig colleagues, their reign is short; and their fall will assuredly be unpitied.

Of the people of England, on whom in fact the salvation of their country depends, it may be said, that "*aliquando redit in præcordia virtus*." They have given some proofs of this; and perhaps the last one will bring due punishment upon the author of their near approach to humiliation and ruin; an humiliation and ruin which, had not your lordship interposed, would at this moment have been consummated.

I have flattered myself that your lordship has felt some anxiety about my situation, under the various attacks that have been made upon me. They all originated with the minister, whose politics so much overshot themselves in the late negotiation for peace, and who

was determined on my removal, as one who could not be bent to his purposes. He found, however, my successor as stubborn; and this country owes immortal gratitude to that gentleman's firmness, spirit and integrity. Yet an attempt was made to sacrifice him, for this very service; and I had the pleasure of defending him against those men, with whom he cooperated in effecting my removal. I am now elected into congress, for the third and last year I am capable of sitting there; by the confederation. I shall then retire into private life, with the satisfaction of dwelling under that constitution which I have laboured to assist in rearing to liberty, virtue and public happiness.

But I am afraid politicians have been too sanguine in their expectations from systems of government. Corruption and intrigue seem inseparable from them all; and these are promoted or restrained more by the genius of the people, than by forms of government, or the operation of laws. Indeed it does not seem so *unwise now*, as it *once* did, in Mr. Pope, to say,

“ For forms of government let fools contest ;
That which is best administer'd, is best.”

Nor would I promise that a little more experience will not make me a convert to his opinions.

You used to say, my lord, that you would send Lord Fitzmaurice to make the tour of America. Such a tour, I conceive, would be both interesting and instructive. Nature has displayed her powers in the *sublime* and *beautiful* far more in America than in Europe, and the progress of art, considering the time it has had to operate, is astonishing. I shall next year be at liberty to accompany Lord Fitzmaurice in such a tour, and should take a vast deal of pleasure in doing it.

I have the honour to be, with profound respect and regard, your obedient servant,

ARTHUR LEE.”

The homage of scientific and literary men added a charm to all other pleasures Mr. Lee had the happiness to enjoy. They regarded him as shedding as much lus-

tre on the intellectual and literary character of his country, as his genius and patriotism had reflected upon its political history. At different times after his return to America, various literary honours were bestowed upon him. The degree of LL.D. was conferred on him by the university of Cambridge; and he was constituted a member of the American Academy of Arts and Sciences. He was also elected an honorary member of the American Philosophical Society. The following letter from James Bowdoin, once governor of Massachusetts, (in honour of whom a flourishing and respectable college in Maine is called) acquaints Mr. Lee of the two diplomas first mentioned.

" BOSTON, Jan. 31st, 1782.

Dear Sir,—I have the pleasure to acquaint you that at a meeting of the American Academy of Arts and Sciences, you were yesterday elected by an unanimous vote a Fellow of the Academy. You will give me leave to congratulate that society on the accession of so valuable a member.

I communicated to them, at the next meeting after I received it, the letter you some time ago favoured me with, relative to the progress and effects of lightning upon a house in Philadelphia. They were much pleased with it, and would be glad to be favoured with other communications.

I have the pleasure also to inform you that the corporation of our university at Cambridge has conferred on you the degree of LL.D.; and a diploma will be sent you the first opportunity.

The letter I wrote you last February or March, enclosed in one to Mr. President Huntington, it does not appear you have received. I imagine it miscarried, and has probably found its way to New-York; several mails having been taken and carried thither about that time. The military gentry there, by encouraging the filching of mails, have been themselves taken in. Some of the intercepted letters, written with a design to fall into their hands, corroborated by corresponding manœuvres of the

allied army, have totally deceived them as to the object of its operations. Hence the capture of Cornwallis, and the happy consequences we may expect from that important event ; so important that you will not think it out of time even now to congratulate you upon it, which I do most fervently ; and am with sincere esteem dear sir, your most obedient humble servant,

JAMES BOWDOIN.

The ladies and Mr. Temple who arrived here last fall, present their most respectful compliments to you.

The Hon. Arthur Lee."

Shortly after Mr. Lee received the letter of Mr. Bowdoin, the Rev. Dr. Joseph Willard, the learned president of Cambridge University, and corresponding secretary of the Academy of Arts and Sciences, by the direction of these institutions informed Mr. Lee that the degrees just mentioned had been bestowed upon him by the university and academy. To the letter of the president he returned this answer.

" PHILADELPHIA, April 20th, 1783.

Reverend Sir,—I had yesterday the honour of receiving from the hand of the Rev. Dr. Elliot, your very obliging letter of the 28th ult., together with a diploma for an honorary Doctorate of Laws from the university over which you preside with so much deserved reputation.

I beg sir, you will be assured, and that you will assure the visiters and fellows of the university, that I have the highest sense of the honour they have conferred upon me. *Laudari a laudatis viris* would be flattering to a person infinitely less deserving of praise than I can possibly think myself. It was with peculiar pleasure I read a diploma, conceived in language pure and elegant enough to have flowed from an ancient pen.

Liberty and letters sir, are so inseparably connected, that a lover of the one cannot but see with sincere satisfaction the cultivation and prosperity of the other. It is to the light which literature had diffused that we owe the assertion of our liberties, and to the continuance of

the same we must owe their establishment and permanency. The eminent share which the university of Cambridge had in diffusing these salutary lights, by her example and instructions, has made her proportionally respected; and a perseverance in the same course will render her an honour and blessing to these United States. For an institution of such utility it is patriotism to pray, *esto perpetua*.

The American Academy of Arts and Sciences hath done me great honour in admitting me into their society, instituted for the best of purposes by gentlemen capable of fulfilling them. I entreat you sir, to lay before them the due sense I have of the favour with which they have distinguished me, and to assure them that I shall ever be happy in contributing every thing within the compass of my poor abilities, to promote the valuable object of the institution.

Do me the favour sir, of accepting my thanks for the very polite and obliging manner in which you have signified the proceedings of the university and of the academy, and my best wishes for your health and prosperity.

I have the honour of being, reverend sir, with the utmost respect and esteem, your obedient servant,

ARTHUR LEE.

*To the Rev. Joseph Willard, President of the
University of Cambridge, and Secretary of the
American Academy of Arts and Sciences."*

The following letter contains the homage of an American scholar and historian.*

"Sir,—By Col. Lee I do myself the honour of presenting to you my academical exercise.

The liberty of prefixing your name will I trust be excused, when we reflect with what ardour writers of every denomination search for particular personages, whose names are most calculated to give dignity to their performances, or credit to themselves.

* Dr. Ramsay.

To secure these advantages I sought a character whose public offices had equalled his private merits ; and in obtaining this object I have had recourse to the reports of the best established medical society in Edinburgh, where your name stands sir, as an illustrious monument of your professional claims ; and in the more extensive field of public merit none so justly attracted my attention as yours, independent of the emotions of gratitude for the singular services rendered my nearest connexion when so much needing the hand of friendship as the unfortunate situation of Dr. Boush required, when in France.

The work in itself scarcely merits your attention. The printer has added many errors to bad language ; some of which are corrected, others not ; but if it receive your acceptance it will amply compensate every inconvenience my feelings have sustained from its imperfection.

With the sincerest wishes for your health and happiness, I am your obedient humble servant,

JAMES RAMSAY.

The Hon. Arthur Lee.

Norfolk, July 16th, 1788."

At the expiration of the period during which the financial department of the confederation had been continued in commission by the resolution of September 1787, Mr. Lee finally retired from public life.

He had long sighed for the peaceful pleasures and the quiet, though active employments of agricultural life. He contemplated with pleasing anticipations, the opportunity he would enjoy of applying his mind to the improvement of the science and practice of agriculture in his native state. He had not been inattentive to their progress in England, and in many parts of Europe through which he had travelled.*

With a view to gratify his feelings and his taste for rural occupations and pleasures, he purchased a farm in the county of Middlesex, and resided near a village

* While Mr. Lee resided in London he was made a member of the Society of Arts and Agriculture.

called Urbana, on the banks of the River Rappahannoc, in Virginia. Here he had hoped to exhibit a useful example of industry and of successful husbandry. His taste had devised many plans to ornament the grounds around his mansion, to please the eye of the guest who should enjoy its simple, but elegant and cordial hospitality. In assisting to execute a part of his intended improvements, he was beguiled into a forgetfulness of the danger of exposure in an unhealthy season of the year. He assisted with his own hands in planting out an orchard of select fruits, during a cold and rainy day in the month of December. He was seized by a violent pleurisy, which baffling his skill, and that of his physician, proved fatal. He died on the 12th of December, in the year of Him, who is "the resurrection and the life," 1792, in the fifty-second year of his age.

The death of Mr. Lee caused a considerable sensation throughout the United States. An extensive circle of relations and friends who had loved him for his virtues no less than they had admired him for his genius and acquirements, sincerely mourned at this event. The ablest and purest patriots of the revolution who survived him, deeply sighed; and deplored the loss of one of themselves!

Genius, science and literature, offered to his memory tributes of their respect and veneration. They have long since performed a part of the office of his biographer; and have concisely and justly thus portrayed his public character, "The scholar, the writer, the philosopher, and negotiator."*

Mr. Lee was well entitled to the character of a scholar. Throughout his life he read with ease the most difficult authors in the Greek and Latin tongues. He spoke and wrote not only correctly, but with force and elegance, the French, Spanish and Italian languages. He was perfectly familiar with the finest writers, in prose and verse, of ancient Greece and Rome, and of modern Italy, of Spain and France, and quoted from them with readiness and felicity.

* See American Quarterly Review, vol. ii. Article, "American Biography."

Of his style as a writer, men of taste and literature had formed a flattering opinion ; the reader can form his own judgment from his writings.

He was not only a scholar, but a man of learning. His attainments in physical science were various, extensive and profound.

He was a thoroughly read physician ; a learned counsellor, and an eloquent and ingenious advocate.

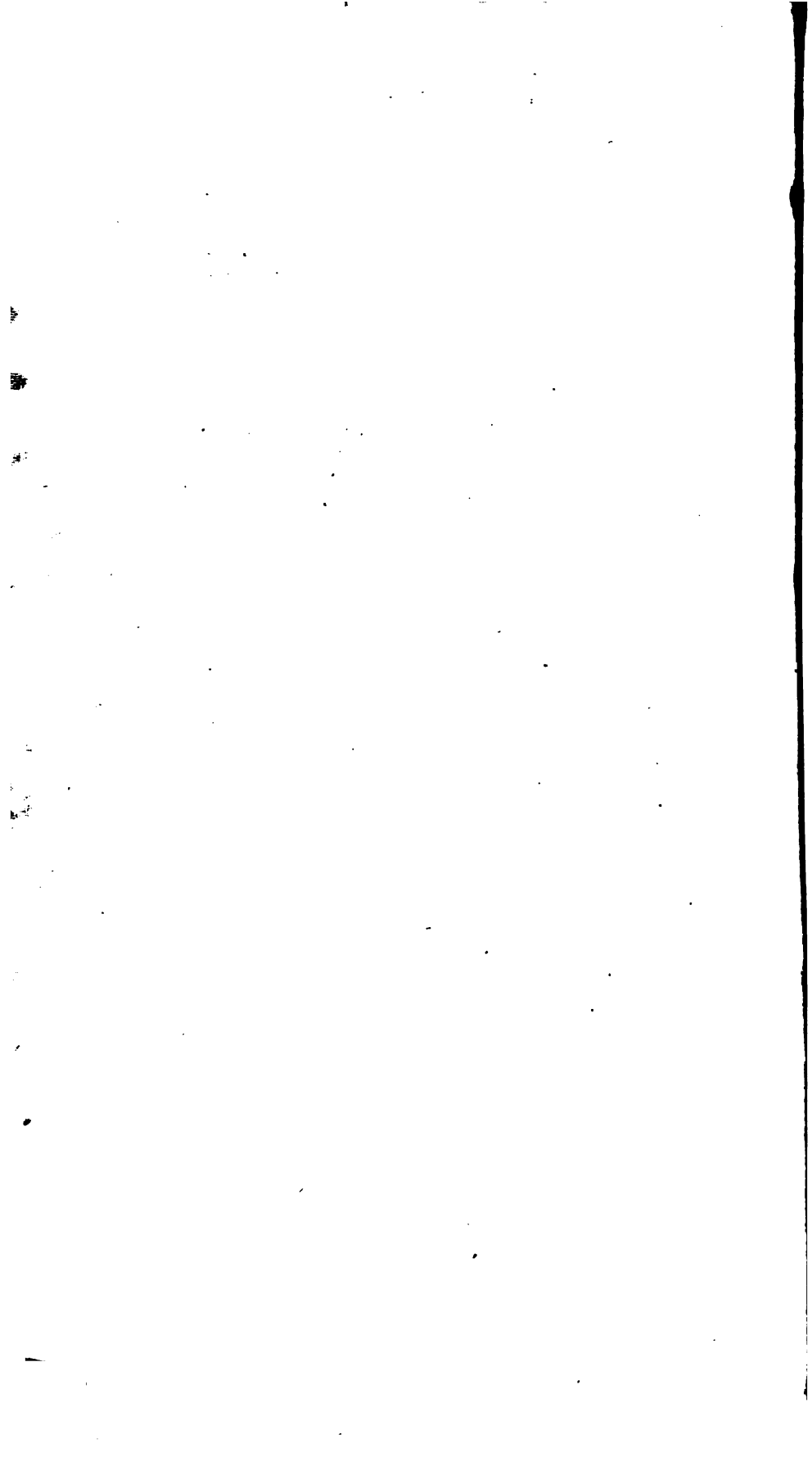
He was a profound politician, and a skilful diplomatist. To what merit he was entitled, and to what fame he had attained in these characters, the reader has learned from the attestations of his contemporaries. He can form his own judgment of their truth and justice.

The history of the private life of Mr. Lee does not allow to his biographer the pleasing duty of presenting him as an example of matrimonial and parental tenderness. Mr. Lee never married. This circumstance was always a source of regret to himself, and of surprise to his friends ; for he was a person of great sensibility, and of an ardent and affectionate disposition. He was an enthusiastic admirer of the female sex ; and was always a favourite with them. In one of his journals he thus states the reasons why he had never enjoyed the sympathies of married life. "With my sentiments of love and marriage, I am not likely to find a wife. An Emma, an Eloise, or a Constantia, would alone answer the high, enthusiastic ideas I possess of wedded love. I am afraid I should regard any one, unactuated by their ardent and absolute sentiments of love, as a house-keeper ; not as the wife of my bosom, from whose glowing tenderness love would 'light his constant lamp,' 'would reign and revel.' I am convinced that love is the most cordial drop that heaven has poured into the cup of man. But as it is precious, it is rare. I have seen ladies whom I sincerely loved ; but the tempest of my fortune bore me from them before I had time to know their real dispositions, or woo them 'to approve my pleaded reason ;' for they were like Eve, 'endued with a conscience of their worth,' that would be wooed, and not unsought be won."

The person of Mr. Lee was above the middle size, and finely proportioned. The features of his face were striking and handsome. A large and radiant blue eye cast a lustre over his expressive features. His manners were elegant, and his conversation, according to the occasion, was gay and brilliant, or "solemn and severe."

Mr. Lee was a sincere friend and affectionate relation, a kind master, a just and benevolent citizen. The reader will add, *he was indeed a patriot.**

* The author has often been told by a near relation, who intimately knew Mr. Lee, a trait of his character. He was rigid and exact in requiring white hired servants, whom he had in his service, when abroad, to perform their duties; but to his slaves he was kind and indulgent to a fault. He could *demand from a free man* the performance of his contract; but he could *command from the slave* scarcely any service he did not choose to perform.



LIFE
OF
ARTHUR LEE.

APPENDIX I.

Early letters of Arthur Lee, written principally from the year 1767 to his departure from London in 1776, on British and American politics during that period.

"LONDON, —, 1767.

THOUGH my dear brother's solicitude about my not frequently and freely writing to him is exceedingly pleasing to me, as it shows me he values my love as highly as I prize his, yet I cannot acquiesce in the justice of his complaint. For considering the great attention due to the study in which I am now engaged, and the many friends to whom I am bound to write, great indulgence should be granted to me, both in point of the frequency and length of my letters.* Neither indeed does the state of things furnish matter for much writing. The little detail of politics is too despicable to slander even your leisure hours with; and there is no probability of any change in men or measures with us.

You will see by the last resolution of the bill of rights, which I desired our brother to send you, what hope we entertain, and what plan we have adopted to obtain a redress of grievances. You will know the author by the style. If the people cannot be roused to take some effectual measures at the next general election, "*actum est de libertate*." Mrs. McCauley has written to me, ap-

* Mr. A. Lee was at this time a student of law. He became a conspicuous and successful advocate, and was in habits of intimacy with Dunning and Glynn, and was often engaged in cases with them. He had studied medicine in Edinburgh, and graduated with the botanical prize.

proving highly of the proceedings of the bill of rights. I am under some apprehension of having lost the patronage of Lord Shelburne and Col. Barré, by the part I have taken in the proceedings. Their tools conducted the attempt to dissolve the society, and destroy Mr. Wilkes, whether by their particular direction I do not know. But as I voted against them, and as their failure has totally sacrificed the popularity of Lord Shelburne, it is not improbable that he will consider me as a partisan against him, and therefore not entitled to his favour. They are both abroad at present; when they return, your presents shall be delivered. But, whatever may happen, I shall be satisfied with having acted honestly. The public cause, and particularly that of America, which induced me to engage in the society, was the mover of my conduct. Townshend is an opinionated, over-grown school-boy; Horne is a malevolent, vain, petulant, impudent priest. The former, in his conceit and folly, thought he could lead the city; the other, in his vanity and knavery, conceived that his abilities were equal to Townshend's ambition, and that he should be rewarded. The event has shown how weak their judgment was, and how impotent their endeavours were when separated from those who gave them weight and importance with the people. They never appear in public without being hissed; and at a late meeting of the livery, there were but five who voted for recommending Mr. Townshend to the common hall, as lord mayor for the ensuing year. Lord Shelburne suffers for all their follies, and has therefore lost his popularity in the city. Expecting redress only from the people, I am determined to stand with them, however my particular interest might advise a different course. You know by experience how little profit and how much obloquy attends such a principle; but you know too, how much satisfaction springs from a conviction of its rectitude. The present lord mayor and alderman Bridges will be returned by the livery; and if the aldermen choose Bridges, he will constitute the other his *locum tenens*; so that popular councils will still prevail in the city. Crosby is a plain, determined man, who courts no great man, and

looks to the people for approbation and support. He will be returned next year with Wilkes, so that the aldermen will have little to choose between them, and the liberties of the city will be upheld. I am much obliged to you for your present, duck and brandy. She appears very disconsolate without a mate. The partridges were by mismanagement let loose at sea, and perished in the ocean.*

The chief political object in Europe at present is Russia, unless a cession of what she has conquered should procure the Turk an ignominious peace. The revolt of Egypt will probably oblige the Ottoman to sheathe the Russian sword at any price. Whether the encouraging of so tremendous a power, and especially the promoting of the Zarina's wish of establishing a large, disciplined, and formidable navy, be sound policy in us, to me is doubtful. We may be cherishing a serpent, which will strike us to the heart. I do not think it in the least probable that any change will take place in the administration, unless in consequence of a war. That is an event which the endeavours of the present men, seconded by the disturbances and inability of France, will place at a great distance. The present men do the king's business better than any others he could find; why then should he change them? Most assuredly it must be the necessity of the last extremity which will move him to admit a single man of virtue within the circle of his throne. An impeaching parliament might be a more effectual remedy than a war; but there is still less expectation of this than of that. The lords Chatham and Shelburne will then only come in, when it is necessary to cultivate the people, to support a war, or to soothe the rage of an impeaching house of commons, &c. &c.

Very melancholy, my dear brother, is the prospect of our affairs, and little apparent hope that any attention will be paid to the just rights of America. The present ministry, arbitrary and anti-American as they are, have for their opponents men who for the most part are des-

* Mr. A. Lee was making a collection of the natural productions, &c. of America.

potie in their views, and who found their opposition upon the inefficacious and pusillanimous lenity of the present proceedings against the colonies. As the views of the court are unquestionably despotic on the American question, it is sure that those who talk in the most absolute style are the most agreeable. Temple and Grenville are the men I mean, with my lord Egremont, whose principles are as inconsistent with liberty as fire with water. The present administration is weak, because they acted as oppressors; but should this new set come in, being regarded as patriots, they will have the stronger support in subverting the constitution of America.

So circumstanced here, the cause of American liberty would be desperate indeed, if it find not a firm support in the virtuous and determined resolution of the people of America. This is our last, our surest hope, this is our trust and refuge. To encourage and invigorate this spirit must be the constant endeavour of every patriot, *si patriam volumus, si nobis vivere cari.*

The Rockingham party have refused to take lead in obtaining the repeal of the duty acts. The merchants are very averse to present any petition to parliament for that purpose, because it is disagreeable to the ministry. Possibly they may be stirred up before the holydays are over. They do not feel enough. My lord Shelburne and his adherents are the wisest and soundest supporters of America; but I doubt whether they will be willing to take the lead. In a few days I go to lord Shelburne's country seat by express invitation, to spend some time; while there, I hope to animate him to a more vigorous advocacy of our cause. The house of lords have passed several resolves, very violent against all the proceedings at Boston, and voted an address to his majesty against the treasonable practices suspected there, and to bring the authors of them over here for trial. The justice of this they found on a statute of Henry seventh, which by a resolve of the house they extend to America. I will not anticipate your reflections on this proceeding. They were sent down to the commons, and their concurrence desired; but they have deferred the consideration of

them until after the holydays. To pave the way for these measures, a very partial presentment of papers was made to the house by the ministry; all the incendiary letters of Governor Bernard, with the most trifling occurrences of the "sons of liberty," down to their drinking the health of Paoli and the Corsicans; but the paragon of impudence and malevolence was a letter from the commissioners at Boston, full of misrepresentations and invective. Nothing was read on the other side, but the Boston petition; and this will be forever the treatment of Americans here; from whence therefore they are to expect neither justice nor favour. The public liberty here has gained a signal victory over court despotism, in the election of sergeant Glynn, Wilkes's friend and advocate, for this county, against all the influence of Beauchamp Proctor, with an hired mob, bribery and ministerial influence. The party of Mr. Wilkes is strong in the house of commons. His having published the letter you will receive with this, prefaced by some strong animadversions on the detestable intention of its authors, has increased the hatred of the ministry to absolute rage; in consequence of which they procured a vote in the house of lords, branding it as a seditious and inflammatory libel, with a conference to invite the concurrence of the commons; but this they could not obtain, and therefore they adjourned the question until after the holydays, when it will be abandoned. Then too, a petition he has presented, praying to be permitted to prosecute Philip Carteret Webb, guilty of bribery and perjury, with the public money, and to have the lords Sandwich and March examined touching the matter, is ordered to be heard. The commons sent a message to the lords, desiring that those peers might attend in their house, which was voted a breach of privilege. The conference was held, but the commons were firm, and the two lords were permitted to attend. I have dined with Wilkes, in the King's bench. He speaks very warmly of America, and highly applauds their proceedings. The Farmer's letters are much read here, but to little purpose, though universally admired, and no answer attempted. They continue of

the same opinion, without a single reason for it, and continue in obstinacy what they began in ignorance. Lord Hillsborough told me he was both greatly pleased and informed by them, but he wished Mr. Dickinson had accommodated his reasoning to the necessity of a supreme power. I observed that Mr. Locke had executed that with great perspicuity. This lord is affable and plausible; has a routine of argument which he uses to every one, and on all occasions, without giving time for an answer. He appears to me to be extremely shallow, and he is detested in Ireland for his arbitrary principles. I send you with this a number of the North Briton, containing Wilkes's letter, the Public Advertiser, and two pamphlets concerning America. I have written only two pieces published in the Gazetteer, giving an account of the proceedings at Boston, with some remarks on them. One of them is reprinted in the Gentleman's Magazine for November. I am meditating two pamphlets, under the titles of an Address to the Merchants, and a Summary of the Arguments on both sides of the American Question. Whether I shall finish them I cannot determine. The load of prejudice seems almost immovable, and pours despair on all our attempts to bring this country to reason.

My best love attend you all;—my cordial good wishes await the friends of liberty and their transactions. Once more let me remind you that no confidence is to be reposed in the justice or mercy of Great Britain; and that American liberty must be entirely of American fabric.

Adieu, my dear brother.

ARTHUR LEE."

"IPSWICH, Sept. 18, 1769.

My Dear Brother,—I have received all your favours, but none with more pleasure than that of the 16th July, which assures me of your having recovered from the effects of that terrible fall. God grant that it may be the last bitter drop in your bitter cup, and that your future life may be one uninterrupted stream of happiness.

Your letter, &c. I myself presented to lord Shelburne, at his own house, where I lately spent a week with him. He desires me to return his thanks for them. Grenville

has had the art of turning the present opposition to an infamous administration somewhat to his advantage; and by uniting with Chatham, Temple and Rockingham, is aiming at a resumption of that power which he so much misused. With but small abilities, he has much art, so that no man has more influence in the house of commons. He is endowed with a perseverance in the pursuit of power never to be overcome, and capable of using any artifice, and submitting to any meanness that may promote his ambitious purposes. Upheld by these supports, nothing prevents his promotion but the unfeigned piety of the —, with whom revenge is virtue. The affront given by him to a certain lady in the regency bill, occasioned his dismissal, and will in all probability be an insurmountable bar to his ambition. So far is her vice a virtue, operating the good of the nation in the gratification of her malice. Should the complaints of the people prevail on the king to dismiss his present ministers, most probably lord Chatham will be applied to for the formation of a new administration. Here then will be a struggle of lord Chatham (as he has certainly united with Grenville), should he insist on his admission. That the dowager's enmity would prevail over lord Chatham's influence is beyond a question; but policy may induce her to dissemble (a virtue not yet banished from St. James'), and Grenville be admitted. Whether Lord Shelburne will find a place, or accept one, I cannot venture to conjecture. I think his virtues and abilities will force him into power, whether soon or among the present abandoned crew, I cannot determine. Be this as it may, I think he is the only one attached to us from principle; from policy there are many against opposing us; as Lord Chatham, Richmond, and Rockingham. Temple and Grenville are our determined foes; but whether they will not think it policy to let our rights remain unquestioned, is doubtful. As I perceived it was likely they would come in, if at all, on popular grounds, I have laboured much to make the cause of America popular, in which if I have been assisted by the American agents, I have not the least doubt of having succeeded.

But the only duty an American agent has to do, is to make a very formal and humble visit to White Hall, with any paper his assembly sends him. He leaves it to the pleasure of the minister, and thinks his duty is done. 'Tis not all who will do even this paltry service; and Mr. Abercrombie has not condescended to take the least notice of the order of council for co-operating with the agent. What reason has America to expect any thing farther, when by far the greater number of her agents are unknown here, of no abilities, no rank, or if of any, of a bad character; some of them menials, all of them servile expectants. Mr. Jennings intended the picture he sent you as a present, and is therefore offended that it is mentioned publicly as a purchase with the subscription money which is still in his hands. As there is no probability of getting Lord Camden to sit, I could wish the subscribers to be prevailed on to order Lord Shelburne's to be sent, in gratitude for his having divided the lords in favour of their rights. He I think will have no objection to gratifying us, for his principles remain unaltered. You will see our agent on the most infamous list of voters for Colonels Lutterel and Brentford, than which nothing can more demonstrate his servile dependance on administration; when applied to he refused to draw up for the tobacco merchants a petition against the revenue acts, on a pretence that as they had not treated him with respect he would not have any thing to do with them. But his vote will explain his refusal. Should this conduct have any influence in Virginia to his prejudice, as I think in truth it ought, I need not tell you I should be happy to serve in his place. If Mr. Nicholas would join you, one would imagine the point would be carried. It would certainly enable me to get into parliament, and by that method promote the interest not only of Virginia but of all America. Had I been in this character a year ago, I could have made the cause of America the cause of Middlesex, for they are in truth the same. As nothing is more in my wish than this cause, I should like to have my inclinations seconded by my situation, which as agent of the assembly would be certainly effected.

Your's affectionately,

ARTHUR LEE."

"Bow Wood, December 3d, 1769.

Dear Brother,—I wrote to you lately, and probably the same conveyance will bring you this letter. It is with much pleasure I can assure you that Lords Shelburne, Chatham, and Camden are determined to write once more in supporting the cause of America against the present weak and wicked administration. I am at present at Lord Shelburne's in the country, and you may depend on what I say concerning our friends. Every day makes our cause more popular, and I think the ministry will find the opposition too strong to attempt any forcible measure; and you well know how little their artifices will avail them. I have endeavoured by mixing popular subjects here with that of America to bring the signature of Junius Americanus into estimation, and by that means to gain a more easy ear to the discussion of American grievances. I am in hopes of succeeding. Colonel Barré is of opinion that America stands on excellent ground, and need not be in the least apprehensive of what her enemies can do. I have just heard from our brother William that the election has been patriotic, and that — has met with the contempt and detestation he merits. My heart is at ease, and I trust we must be free. I think myself much honoured by the name of Virginia, and feel infinite gratitude to the people at large for the noble spirit with which they have resisted all the attempts of art, and honoured the cause of liberty.

I do not know any thing which would gratify my wishes more than the agency of Virginia. I should devote myself with so much cordiality to its duties, and obey with so much joy the commands of a spirited people asserting their rights.

Farewell, and believe me as I am ever, yours affectionately,

ARTHUR LEE."

"BATH, November 9th, 1769.

My Dear Brother,—Col. Barré is just arrived here, and informs me that Governor Bernard is to be before the king and council; agreeable to the Massachusetts pe-

tion, with a view to deceive the world into a belief of his innocence, not to make any enquiry into his guilt. With this view only six days notice is given to the agent to summon his witnesses three thousand miles distant. The wickedness of this administration can be equalled only by its weakness. For must it not be most egregious to expect the world will be deceived by so infamous an artifice. The agent has delivered a petition to the council for a delay ; whether that will succeed I know not, but it will render their injustice more glaring.

He is an upright, spirited, and independent old man, and therefore most obnoxious to Lord H——gh, who has made some mean attempts to injure him. The ministry have so affronted the Duke of Rutland as to make him resign. It is expected the Marquis of Granby will follow him. 'Tis well they are so rash, as abler men in these times of corruption might endanger our liberties. I find my health better than when with you. I pray heaven to guard you.

Yours. Adieu.

ARTHUR LEE."

" August 15, 1769.

My dear brother's favours all reached me in due time at Bristol Wells, where I was spending the summer season, to look about me, and form acquaintances which may be useful hereafter. The ensuing winter I mean to spend in Bath, where I now am ; a place to which Dr. Fothergill advised me, and where I expect his patronage. Your packet for Lord Shelburne I shall deliver myself in a few days, at his country seat about twenty miles off, where I am to spend a week. I have not been in London since Johnston's arrival, and as Dr. Fothergill is probably in the country, I reserve your letter to him also to deliver myself, as I shall be in town soon.

My last letter from our brother F. of the 14th June, made me exceedingly unhappy, as it brought an account of the dreadful accident which befel you about that time. I flatter myself that long before you receive this you will have received entire relief from the effects of that misfortune ; and I cannot now help chiding you for being so

very careless of a life on which the happiness of so many depend ; the horses were notoriously vicious, and the dastardly temper of the negroes you well know. How then could you trust yourself so absolutely in their power as to injure yourself and afflict us ? for heaven's sake remember that you are accountable to your country and to those who love you for your personal safety, which cannot be injured without very great detriment and disquietude to them. Heaven shield you from such disasters for the future, and grant you for the great share of misery you have already suffered, an uninterrupted series of prosperity and health. I may now I hope congratulate you on your marriage with Mrs. Pinkard ; the small acquaintance I had with her gives me great reason to believe she will make you happy ; and I most ardently pray that her goodness may prevent both you and the poor little ones who survive, from feeling the loss of the tender and amiable wife and mother that is gone.

The resolutions into which you have entered, and which I perceive South Carolina has adopted, are in the highest degree laudable, and you may depend upon it, will work your salvation. The ministry thinking it vain to contend against such virtue as they are now convinced animates America, are at present certainly disposed to conciliatory measures. But they are far from being yet brought to a due sense of what in justice they owe to the constitutional rights of the colonies. You have commenced those measures which tend to their conviction, and I make no question you will persevere till that important purpose is fully accomplished. The intent of the monitors I sent you being entirely fulfilled, I do not ask what you did with those I sent you, though I have seen nothing of them in the papers. The state of politics at present is as appears to me exceedingly complex. As far as I can unravel them, they consist of the court party, the opposition, and the constitutionalists. The lords Holland and Bute, the Dukes of Bedford and Grafton, form the court party ; lords Temple, Chatham and Mr. Grenville, with Rockingham, compose the opposition ; and my lord Shelburne heads the constitutionalists. The

last party are the promoters of petitions, as the most proper method of informing the people of the constitutional power they possess, and of rousing them against the arbitrary measures of the court. The opposition, desirous of changing men only, and not measures, are for determining the matter by the representative body by intrigue and influence. The constitutionalists are for appealing to the people at large, and effecting a change of measures as well as of men. Mr. Wilkes and all of his party that are honest, with Beckford, Townshend, Sawbridge, Mrs. McCauley, &c. are what I call constitutionalists. Of the political writers Junius only deserves reading, and his talents are certainly great. I cannot but think that my lord Shelburne's abilities and virtue will force him again into power; though they render him exceedingly unwelcome at court, where such qualities are not in estimation. Happily for the liberties of this country, the court party are at variance among themselves; could they agree, I do not see what would prevent them, with a corrupt house of commons, vast influence from places and money, with a powerful army, from absolutely subverting the constitution. But Bute possesses the year, Bedford the parliamentary power; Grafton was the representative of the former, but the latter, ever jealous and ambitious, has contrived to gain the duke over by marriage. This in all human probability was the cause of lord Bute's precipitate return, being alarmed lest in consequence of that connexion Grafton should betray him, and uniting with Bedford, enable him to do what he has long wished; exclude his lordship from influence in administration. When Peacham and Locket quarrel, they bring each other nearly to the gallows. Would to heaven these political villains may be more irreconcilable in their anger. I am now at my lord Shelburne's, where I have the pleasure of seeing perfect domestic happiness. Lady Shelburne is a pattern of every thing that is amiable and good; and her lord seems perfectly worthy of so valuable a wife. Much reading has produced in me the effect of age, in which confidence in political professions is slowly granted; and

therefore highly as I esteem this lord, I do not implicitly confide in him. Yet if he does not support the genuine cause of liberty, and continue firm in constitutional principles, I do not believe there is a single man of eminence who will vindicate the violated rights of the people. A temporary support many will give, but an opposition grounded on true principles, and steadily pursued, I expect from him only. God send he may answer my expectations; if not *actum est de libertate*. I am not so desperate with regard to America; the spirit of liberty seems now so truly and universally diffused, that I do not think it possible to suppress it; and therefore I look forward with infinite pleasure to that spirit as the surest nurse of British constitutional liberty. I some time since sent enclosed to Mr. Parker and you the proceeding respecting the Mississippi company. Nothing certain is to be expected from this ministry: when it is changed I shall not fail to resume the solicitations. I beg you will give my most cordial thanks to all those of my acquaintance who have distinguished themselves in the resolution of not consuming British manufactures, and of maintaining firmly their constitutional rights. As a friend to freedom, I esteem myself infinitely obliged to every one who supports it.

My inviolable regard awaits you and yours. Adieu.

ARTHUR LEE.

P. S. Pray remember me to our brother Thomas; I never hear of or from him, which I very much regret. My best wishes attend Belvieu."

"BATH, November 15, 1769.

My Dear Brother,—It appears to me a very long time since I had the pleasure of hearing from you. In the mean time I please myself with supposing that you, with the rest of America, are working your own salvation by frugality and industry. Pertinent to this are your questions to our brother William concerning the glass manufactory; in which, I am sorry to inform you, no satisfactory information can be obtained. Much care is taken at Bristol

to provide against the loss of workmen ; they are therefore artfully for a certain time, and their wages artfully advanced, so as to keep them constantly in arrear, and thence in bondage. A very few only are entrusted with the secret of the materials, and their proportions. I wrote to a merchant of Bristol, immediately on my brother's receiving yours, for more precise information ; but he has never answered me, probably through some jealousy in himself, or an apprehension of it in others. Newcastle would be the best place I apprehend, not only to make enquiries without suspicion, but to apply for workmen. The people here do not yet complain much of the want of trade arising from the stoppage of American exports ; but, by persevering, they will feel, and then will infallibly complain. What the ministry will do in the perturbed state of the empire, both at home and abroad, it is difficult to say ; what they wish to do is more easily imagined. Great certainly is the struggle between their arbitrary inclinations, and their fears to execute them.

The Mississippi affair rests entirely, and must do so till the ministry are removed ; whenever that happens the company may be assured that I will resume the business without any farther expense to them. Our brother William forgot to bring over a minute of the company's resolution appointing me agent ; so that had my credentials been required nothing could have been done. Happily they were not ; but to provide against it for the future, I could wish you and Mr. Parker would send me such credentials as you may think proper. Please to remember me to that gentleman, and tell him I hope every patriotic scheme succeeds, and that we shall see him in the next list of the house of burgesses, in J. R——ph's place. I wish things were reversed, and this tool of power were his deputy. Your governor is becoming very popular as we are told here, and I have the worst proof of it in the increased orders for fineries from the ladies, at this time of general distress in their families. Either our countrywomen are misrepresented by the merchants' wives, or they are growing deplorably extravagant. If

his excellency introduces such a spirit, I am sure his popularity will be ill-founded. Wilkes' suit with Lord Halifax is at length determined, with £4000 damages, which it was proved in court the treasury was to pay. Inadequate as these would in any case have been, the manner in which they are to be paid prevents them from being exemplary; since no minister will be deterred from repeating this injury by a fine which he is not to pay. Our houses, liberties, and most interesting secrets, are thus at the mercy of any minister who will pay this sum out of the treasury, which, with the present furniture of St. Stephen's chapel, he might do to-morrow without danger of impeachment. Yet there are many men so wicked or so weak as to deny that the constitution is in danger. There are men who will never believe their houses are near the flames until they are on fire; so long as they walk free they care not who is illegally imprisoned. The parliament will probably meet about the middle of January; it will be an important session, but I believe attended with no farther good than convincing the people their complaints are just, and their desire of a dissolution perfectly proper. I am extremely well with Lord S——e, the lord mayor, the sheriffs, Mr. Wilkes, Horne, McCauley, Bellas, &c.; the two first and the last are those only of whose principles I have a good opinion; but I am so sensible of my own deficiency in judgment, that while I act in the integrity of my heart, I do not suffer my suspicions to influence my actions. I dine frequently in the King's Bench where I meet the declared patriots, of whom I shall be satisfied if we find one Sidney in twelve elect. The city of London is however in our possession, and will support the character it has always maintained, of standing foremost and firm in opposition to arbitrary power. It is a chance whether you ever meet with a series of letters signed Junius Americanus, in which the enemies of America are chiefly attacked; though to make what was written in defence of the colonies acceptable, it was necessary to give now and then a stroke to the characters obnoxious here. It is desirable to make a signature popular; when that is effected I shall be able to

write for America under it with success, which it is otherwise extremely difficult to accomplish. Send copies of Parker's edition of the Farmer's Letters to Lord Shelburne, Mrs. McCauley, and Col. Barré. Farewell.

ARTHUR LEE."

"A very ill timed fever, my dear sir, confining me to my bed and room for some days past, has for the present marred my Mississippi and political operations. Of the former therefore, I can say nothing more than what the enclosed, written a week since, contains; of politics little certain can be said, for no one yet knows what the parliament, which meets to-morrow, will determine. The ministry are entirely Bedfordian, neither much in confidence of the landed or mercantile part of the nation; but they are of Lord Bute's complexion, and have therefore the royal ear and protection. Grafton is the premier, profligate, arbitrary, and contemptible; Weymouth, abandoned to gaming and drinking, totally involved, but extremely clever; North, Gower, and Bristol, nothing; Hillsborough or Pownal, arbitrary, opinionated, subtle, and severe: of these the present council are formed, without one speaker or advocate in the house of commons. All parties will, it is probable, be opposed to them; but virtue and real patriotism are so little the objects of pursuit to any party, that it is rather a scuffle who shall enjoy the power and wreath of office, than who shall administer peace and welfare to the nation. This being the case the sovereign will always turn the scale, since such ministers can never acquire the confidence of the nation, so as to be independent of court influence; this makes me apprehend that the present ministry, as being certainly that of the favourite, though he be now abroad, will stand, and they are to all intents and purposes enemies to America. They delude us here with talking of conciliating measures, but it is only to try once more the effect of art and management in disuniting the colonies, while it is evident they are collecting a great force at Boston, to crush, as they fondly flatter themselves, the head of opposition at one blow; from the persever-

ance of your colony much is feared, and greatly is it expected that the address, powers, and beguiling splendour of his excellency, will detach it from the cause of liberty, obtain a vote subversive of your former resolves, acknowledging your promptitude to bend the servile knee, and fawning take the splendid robber's boon. Severe will be the trial, but more exemplary therefore the virtue that triumphs over it; alas! I fear it will not be found, where meanness and servility are already so prevalent among the little great people of your colony: yet on the issue of this essay must I hereafter glory in being a Virginian, or hide my head when it is mentioned. Subtlety and arbitrariness being the characteristics of the present ministry, great prudence, caution, and management will be requisite to frustrate their measures, or elude their revenge. You may be assured, if they stand this session, and their present policy succeeds not in America, the first step to enforcement will be the seizing and executing the patriotic leaders; in your conduct therefore let me recommend an attention to the conduct of the first prince of Orange, which saved him from an ignominious death, and effectually vindicated the liberties of his country, while the incaution of his associates made them victims to the bloody and revengeful purposes of the tyrant they opposed. Our first duty is to our country unquestionably, and her dearest right is liberty; but if this be not the sense of the people, if there is no prospect of opposing tyrannous measures with success, 'twere better wait the favourable moment, since once engaged, success, eternal enmity, or death, must be the issue. Cato, Brutus, and Cassius did not precipitately undertake a hopeless cause, but they made a glorious and dreadful struggle, that failing, death was the only worthy end of such a beginning. O how my soul swells with the great idea! methinks I could smile in the very pangs of death, and pity the insulting tyrant. Should such a trial come, and my weak flesh shrink from the nobler purposes of my soul, to what contempt would it reduce me. Inured to war and death, habit had steeled their bodies, and made them equal to the achievement of every daring resolution; happy had I

been bred a soldier, or these trying times had not arrived in my day. These are reflections which I cannot avoid, though they leave stings behind them; the very doubt of bearing unmoved the utmost efforts of afflicting power, and telling the tyrant or his minion to the last I scorned him, is to me grievous.

I have not sent you the *Museum Rusticum*, because it is certainly too dear for its usefulness; and another publication is daily expected, which perhaps may be preferable. I reserve Tissot till I have leisure to read him, and make some annotations for you. There is a book sometime since published, called a *Handmaid to the Arts*, which should be useful to you; if I think so upon examining, it shall be sent. The *Court Register* will be published the 28th of this month, therefore I hardly think it worth while to send the old one now. I know of nothing else worth your attention.

“October 9th. The great debate is passed, administration has carried her point, forcing by the sword over the colonies those laws which reason and justice cannot support or establish. Dreadful idea; suggested in a free house, it ought to have excited indignation and abhorrence. To the king’s speech containing an account of America being in an alienated state of allegiance and submission to law; and one part, namely Boston, on the verge of rebellion through the agency of some seditious persons, an address was moved for by Lord Henly, Lord Northington’s son, approving the steps which had been taken by the king in America, and promising him support. This was seconded by Mr. Stanley, who said the late acts were intended to bring this contest of right to an issue; that the troops had been drawn together in America to enforce it with more facility, and had now commenced the operation in Boston. Mr. Dowdswall, late chancellor of the exchequer, moved for an amendment, using milder terms towards the Americans, and not expressing any approbation of ministerial measures. Lord Clare and Lord North supported the former; with heavy if not unwarrantable charges against the people of Boston, and high ideas of absolute power. The

amendment was then supported by Sir G. Seville, but not on American principles. Mr. Burke then entered more largely and with more masterly eloquence into the transactions of Governor Bernard and the administration. He showed the present disturbances arose from a concerted plan and intentional injuries offered the people of Boston; that the right of taxing and the laws founded on it were repugnant to the feelings of America, which never could be overcome; he insisted that the requiring the assembly of Boston to rescind a vote under penalty was absolutely illegal and unconstitutional; that sending soldiers there and demanding provision for them was directly repugnant to the act of parliament, which directs that provision be made by the assembly. Mr. Grenville then advised supporting the measures of administration in subduing the colonies; he praised his S. A., talked much about himself, and condemned the minister's mandate for rescinding as totally illegal. Col. Barré next spoke with great judgment upon the question in favour of the amendment; he questioned the right, disapproved the measures, and demonstrated that they were urging a quarrel with their colonies, from an ill-grounded jealousy, when the state of Europe made harmony absolutely requisite to our preservation. Mr. Wedderburn then pointed out with great justice that government, both at home and abroad was executed by files of musketeers; that laws were obeyed not from a respect and confidence in the people for the legislature and government, but from terror; a dreadful state existed by some unhappy defect in the executive part, which threatened our ruin; he declared against the legality of the ministerial mandate at Boston. Many others spoke on both sides, but the ministry carried it without a division. All this I consider as done in heat, and hope better information and more dispassionate deliberation will produce the conciliating measures of recalling Bernard, and repealing the duty acts; should this not be done, I apprehend that the present establishment of the military in America will prevent any armed opposition to the measures of administration; but I conceive the Ame-

ricans will endeavour by those means of not consuming British manufactures, which are absolutely in their power, to bring this ungrateful country to a better sense of their usefulness to her, and how vain the attempt is to rule by force a free people. Mr. Burke asserted that Chatham and Camden had both acted towards America inconsistently with those principles ; which, coming from such great authorities, had confirmed the colonists in their opinion that parliament had no right to tax them.

God knows whether this will be suffered to reach you ; for the administration are determined to sacrifice the most active in the American cause, and may probably stop letters.

Yours, &c.

ARTHUR LEE."

"BRISTOL-WELLS, August 4th, 1769.

My dear brother,—I am sorry you have so much reason to complain of my neglect ; for which I must rely on your goodness to pardon me. My letters by Johnston brought me an account of your marriage ; on which I give you and Mrs. Lee joy with all my heart. The union which crowns a mutual affection long tried, promises the most permanent felicity ; and I hope every succeeding moon will find you equally happy with the first.

I am now the only unhappy or single person of the family ; nor have I any prospect of being otherwise. I have spent this season at the Bristol Wells in pursuit of practice and to make acquaintances, and shall remain the winter at Bath with the same views. In the latter it is easy to succeed, in the first not quite so easy here as at Williamsburg. Perseverance, of which unhappily I have very little, is absolutely requisite to accomplish this business. I often feel so home sick that I cannot bear the thoughts of living forever from you ; so that if I am not very short lived I feel that I must make another trip to see you. Contrasted with that of this country, how illustriously eminent does the patriotic conduct of America appear. I had my fears, my anxieties about Virginia, but my countrymen have fulfilled my most sanguine wishes and acquired an honour which can never be tar-

nished. Here the spirit of liberty is very languid, and all attempts to rouse it meet with little success. Corruption has spread its baneful influence so universally, that this country seems now to be nearly in that state in which Jugurtha found Rome when he exclaimed,

“O venalem urbem, et citò perituram, si emptorem invenias.”

However the utmost endeavours are used to awaken a proper resentment of the atrocious injuries which have been offered to the constitution. And though I believe they will obtain petitions enough to awe the ministry, yet I do not hope to see all grievances fully redressed, and the authors of them brought to condign punishment. With respect to us the ministry speak in a conciliating tone, but they are so void of all virtue that no credit is due to them, especially as their principles are most notoriously arbitrary. Persevere in the plan of frugality and industry, encourage and confirm a spirit never to submit or yield, and you will compel them to be just—*hæ tibi artes, hæc arma*; and may heaven render them invincible. The town of Bristol, which is very near the wells, is immersed in the turtle and venison feasting, and therefore seems to apprehend little from the revolutions you have made; but they will feel presently, and then I will answer for their justice being awakened, and their feeling how cruel it is to oppress us. We have much company here besides invalids, dancing and card playing every day, so that the time passes agreeably though idly. My Lord Bute having lately arrived from abroad it is expected his advice will make some change in administration; but from so impure a fountain no good can be expected. The Mississippi scheme must lie dormant till Lord Hillsborough is removed, for he will never suffer it to be executed.

Remember me, my dear brother, affectionately; be free, be happy, and—adieu.

A. LEE.”

“LONDON, May 20th, 1770.”

My dear brother,—The parliament being now prorogued concludes all hopes of any redress of grievances,

either for America or Great Britain. Several motions were a week ago made in the commons, and repeated in the lords, by Mr. Burke and the Duke of Richmond, tending to censure all the measures of this administration relative to America, especially my Lord Hillsborough's rescinding and promising letters. They were all rescinded in the lump, by a previous question, on which the ministerial majority was three to one. Lord Chatham has made two remarkable motions this session, one for dissolving the parliament, and one censuring those who advised the rejection of the London remonstrance. They were fruitless, being rejected by a large majority. No ministry ever had less argument, and greater influence. In the American debate Lord Hillsborough declared that all hopes of reconciliation with America were vain, unless the whole authority of parliament was given up, for that it was the navigation act we were aiming to overthrow. Such are the fixed impressions of this dull, arbitrary lord, and the prejudices which he and his tools labour but too successfully to infuse into others.

The city of London, unawed by their late rejection, has voted a second remonstrance to the throne, in very spirited terms, which is to be presented next Wednesday. Mr. Wilkes sits and acts as alderman with great applause.

The friends of America here are apprehensive that you will not abide by your non-importation agreements, on which all prospects of a re-establishment of our invaded rights depend. I can hardly think that my countrymen can be so wanting to themselves as to give their enemies their wish, and sacrifice for a temporary profit or convenience, the liberties of themselves and their posterity. Adieu.

Yours, &c.

ARTHUR LEE."

"My Dear Brother,—Lord Hillsborough is out. The ostensible cause is that he dissented to the establishment of a government where our petition is located. But the true reason is that the Bedford party were determined to remove him to provide for one of themselves. But in this they were disappointed, for lord North threatened

to resign. They were obliged to soothe him by the appointment of his half brother, Lord Dartmouth. This place was originally promised him, but the king, as his custom is, deceived him ; and it is thought rather shabby in him to accept of it now. However, he is a man of good principles, of a fair character, of exemplary life, and a friend to America. I have no doubt but that as far as it depends upon him, which indeed is but little, the colonies will not have much cause to complain.

There is no opposition now, nor any forming. At the meeting of the next parliament the leaders will hope that the memory of their former follies may be obliterated, and again unite in that opposition which they so shamefully abandoned. Nothing is more uncertain than the revolutions of states, nor can any one form a tolerable conjecture from the appearances of the political sky. This is our only comfort in the midst of a calm which seems to resign every thing to the will of a court, which is meditating and executing a systematic destruction of our liberties. I expect to be at the bar quite in time for the next general election, and to be employed in some contested election, which is a fair introduction into a valuable branch of the profession, that of pleading before the house of commons. Yours, &c. ARTHUR LEE."

"LONDON, March 18, 1774.

Dear Brother,—The affairs of America are now become very serious ; the minority are determined to put your spirit to the proof. Boston is their first object. On Monday the 14th, it was ordered in the house of commons that leave be given to bring in a bill, 'for the immediate removal of the officers concerned in the collection and management of his majesty's duties of customs from the town of Boston, in the province of Massachusetts Bay, in North America ; and to discontinue the landing and discharging, lading and shipping of goods, wares and merchandize at the said town of Boston, or within the harbour thereof.*

* Many native Americans, who were at this time in London, presented a petition to parliament in behalf of their countrymen in Boston, against the operation of this act. It was written by Arthur Lee.

If the colonies in general permit this to pass unnoticed, a precedent will be established for humbling them by degrees, until all opposition to arbitrary power is subdued. The manner, however, in which you should meet this violent act, should be well weighed. The proceedings of the colonies, in consequence of it, will be read and regarded as manifestos. Great care therefore should be taken to word them unexceptionably and plausibly. They should be prefaced with the strongest professions of respect and attachment to this country; of reluctance to enter into any dispute with her; of the readiness you have always shown and still wish to show, of contributing according to your ability, and in a constitutional way to her support; and of your determination to undergo every extremity rather than submit to be enslaved. These things tell much in your favour with moderate men, and with Europe, to whose interposition America may yet owe her salvation, should the contest be serious and lasting. In short, as we are the weaker, it becomes us to be *suaviter in modo*, however we may be determined to act *fortiter in re*. There is a persuasion here that America will see, without interposition, the ruin of Boston. It is of the last importance to the general cause, that your conduct should prove this opinion erroneous. If once it is perceived that you may be attacked and destroyed by piecemeal, *actum est*, every part will in its turn feel the vengeance which it would not unite to repel, and a general slavery or ruin must ensue. The colonies should never forget Lord North's declaration in the house of commons, that he would not listen to the complaints of America until she was at his feet. The character of Lord North, and the consideration of what surprising things he has effected towards enslaving his own country, makes me, I own, tremble for ours. Plausible, deep and treacherous, like his master he has no passions to divert him, no pursuits of pleasure to withdraw him from the accursed design of deliberately destroying the liberties of his country. A perfect adept in the arts of corruption, and indefatigable in the application of them, he effects great ends by means almost magical,

because they are unseen. In four years he has overcome the most formidable opposition in this country, from which the Duke of Grafton fled with horror. At the same time he has effectually enslaved the East India Company, and made the vast revenue and territory of India in effect a royal patronage. Flushed with these successes, he now attacks America; and certainly if we are not firm and united, he will triumph in the same manner over us. In my opinion a general resolution of the colonies to break off all commercial intercourse with this country, until they are secured in their liberties, is the only advisable and sure mode of defence. To execute such a resolution would be irksome at first, but you would be amply repaid, not only in saving your money, and becoming independent of these petty tyrants, the merchants, but in securing your general liberties. You are however more capable of judging what is proper and practicable. My great wish is to see you firm and united. Adieu.

Yours affectionately,

ARTHUR LEE."

"LONDON, Dec. 13th, 1774."

My Dear Brother,—The proceedings at the congress are yet unknown to us, but our last accounts from you signify that the non-export will not take place till the present crop is shipped. It is unfortunate that you did not adopt that measure immediately upon the receipt of the late acts, because the operation of it would have been felt by this time, and would in all probability have enforced the repeal of them this session. But now by that dangerous delay, the present parliament will be involved like the old one, and the plea of wounded dignity will still impede a retraction. The merchants too, being in possession of one year's crop, will be enabled to pay the tradesmen, &c. and subsist themselves under a suspension of trade for at least a year, so as to prevent any clamour, and give the ministry that time to try what fraud and force can do to divest you of your liberties. Thus, by an ill judged tenderness towards men who have neither the feelings of humanity or justice for us,

but on the contrary would joyfully minister to our oppression, we have strengthened the hands of our enemies, and subjected ourselves to additional hazards and hardships. However, instead of idly lamenting over what is irretrievable, let us consider what should be our conduct in the present situation. If the people flatter themselves that the threat will be sufficient, and that they will not be put to the trial, under that dangerous deception they will again plant tobacco, and be equally unprepared to stand the contest. The utmost attention should therefore be employed to convince them that it is serious, that nothing but a hearty struggle will save their civil and religious liberties. In order to be prepared, they should double their quantity of corn and grain, not that they can export it, but that they may enjoy the blessing of plenty to mitigate other hardships, and keep the country in good humour; they should plant great quantities of cotton, and desist immediately from the use of mutton and lamb, which will furnish them against next winter with wool and cotton enough to clothe the whole colony. With provisions cheap and plenty, and warm clothing, you may surely bid defiance to this country. Every thing that will yield spirit, as persimmons, grapes, &c. should be gathered and distilled; rye and barley should be cultivated for that purpose. My reason for this is that it will be the plan to cut off all communication between the colonies, from whence the usual supply of spirits being prevented, the common planters to whom they are absolutely necessary may be induced to murmur if not resist those measures of opposition, which our *Scotch* friends will take care to whisper them are the cause of their distress. As a great deal depends upon the hearty concurrence of the body of the people, provision should be made against every thing that may obstruct it. The ministerial language now is not for force; however I would not trust them, but prepare against that too by arming and exercising the militia. The plan at present is to pass two acts, one for taking the fishery from New-England and encouraging the Canadians, the other to make all associations touching trade, treasonable.

Additional supplies will be granted, and it will be left to the king and his ministry to add military force, which I verily believe they will do. You have the whole of their plan before you, and I hope you will not remit of the utmost activity to defeat it. The not planting any tobacco will be a decisive measure to convince them here that you are in earnest. Such conviction will be of great use. You may depend upon it that the merchants here will never move in your behalf till you alarm their fears so much, or touch their interests so strongly, as to make the cause their own. My anxiety about the public absorbs every idea of private concerns. Col. Phil. remits me nothing, and the additional expenses of my being called to the bar in April next, will distress me extremely. My love to Mrs. Lee and every body else. Adieu.

ARTHUR LEE."

"LONDON, Dec. 22, 1774.

My Dear Brother,—The proceedings of the congress meet with universal approbation here, and have operated like an electric shock upon the ministry and their dependants. They begin to reprobate their own measures, and each to exonerate himself from the charge of having advised them. The king consented to receive the petition of the congress, and lord Dartmouth told us it was found to be decent and respectful. I expect we shall receive his majesty's answer time enough to send with this.

The merchants have advertised for a meeting, and every thing seems to promise a speedy accommodation. The terms of that must depend on you. Your demands must be made with great moderation, and should not, nay I think cannot be receded from one iota. Depend upon it, the same firmness and unanimity which have compelled a conciliatory disposition, will enforce a full redress. Be therefore firm and fear not. The excess of my anxiety for our ultimate success, and the termination of these unhappy disturbances, makes me sometimes apprehensive that these specious appearances will make you remiss in your preparations for a different conduct ;

that you will forget that he who sheathes the sword before the peace is concluded, exposes himself to a shameful defeat. But trusting to your wisdom, I hope you will treat them as appearances only, which firmness, vigilance and unanimity alone, on your part, can realize.

December 24th. Lord Dartmouth this day informed us that his majesty received your petition very graciously, and for its importance would lay it before his houses of parliament when they met.

I communicate to you the following copy of a letter from Lord Chatham, because I think it must give you infinite satisfaction. At the same time I must entreat you not to let it get into the press, as it would be a breach of honour in me.

‘I have not words to express the infinite satisfaction which I feel, since congress has conducted this most arduous and delicate business with such manly wisdom and calm resolution as do the highest honour to their deliberations. Very few are the things contained in their resolves that I could wish to be otherwise. Upon the whole, I think it must be evident to every unprejudiced man in England, who feels for the rights of mankind, that America, under all her oppressions and provocations, holds out to us the most fair and just opening for restoring harmony and affectionate intercourse as heretofore. I hope that the minds of men are more than beginning to open on this great subject, so little understood, and that it will be found impossible for free men in England to see three millions of Englishmen slaves in America.’

Such praise from the *character* of the age, ought to inspire you with confidence, if any thing can add to the conscious dignity of freemen, and make you resolve to maintain your demands with immovable firmness.

December 26th. I was yesterday in the country with Lord Chatham, to show him the petition of the congress. He approves of it exceedingly. His words were, ‘the whole of your countrymen’s conduct has manifested such wisdom, moderation and manliness of character, as would have done honour to Greece and Rome in their best days.’ *Laudari a laudato viro*, should make us

cautious that we support the character by a manly perseverance in those measures which have secured it. His opinion is that a solemn settlement of the question, by a renunciation of the right to tax on one part, and an acknowledgment of supremacy on the other, might be made. My object is to unite the heads of opposition upon one uniform large ground, which, with the present popularity of our cause, will I think enforce a complete abolition of these pernicious measures. I have this moment learnt that the resolution of the court is to repeal all the acts except the declaratory and admiralty act; that lords North and Dartmouth are to give place to lords Gower and Hillsborough, who are to commence their administration with these conciliatory measures. The inconsistency of this plan is no objection to the probability of it, for these men have long been disciplined to turn, and turn, and turn again. But you may learn from it that there is little cordiality in the relief to be given; and that we are to hold a jealous eye over the measures of men, whose minds are actuated against us by the bitterest rancour and revenge. You will consider this intelligence as of doubtful nature, and let no hasty gleam of hope go forth, which may tend to make men remiss in their exertions, or relax in the terms they demand. Farewell.

Your affectionate brother,
To Col. Richard Henry Lee."

ARTHUR LEE.

"LONDON, Dec. 26th, 1774.

My Dear Brother,—It is with great pleasure I inform you that the proceedings of the general congress, and the vigorous preparations for effectual resistance, have rendered our cause so popular, and so intimidated administration, that they seem determined to give us redress. The king received the congress petition very graciously, and is to lay it before his two houses of parliament as soon as the adjournment for the holidays is over. It is whispered from court that Lord Gower and Lord Hillsborough will be put into the places of Lord North and Lord Dartmouth, and that all the acts will be repealed except those for establishing admiralty, &c. courts, and declaring the

right. Should this be true you will see with what ill-will this partial relief is given, and that they are determined to continue our apprehensions by advancing our worst enemies, and preserving those acts as the seeds of contention. But you will certainly be of opinion, with all our friends here, that nothing but a full and solemnly ratified redress ought to satisfy us, and that the same resolution, unanimity, and firmness, which have extorted a part will compel the whole. I have waited on Lord Chatham with the petition, on which, and on all the proceedings of the congress he bestows the highest commendation. He is clearly for a full, solemn, authentic settlement of the dispute upon the conditions proposed by the congress, and will assuredly support it with all his abilities. I think I shall get the heads of opposition to unite with him, as I find them much disposed to it. This junction, with the voice of the people here, and the firmness of America, will I trust compel our oppressors to absolute submission. My love to Mrs. Lee, and respects at Mount Airy. Adieu.

ARTHUR LEE."

LETTERS FROM ARTHUR LEE TO SAMUEL ADAMS.

"TEMPLE, June 10th, 1771.

Sir,—The session of parliament is now at an end without one offensive measure to America. We owe this to the difference with Spain, which engaged all the attention of administration in the first part of the session; and a quarrel with the city of London, which employed the remainder.

I am very well informed that my Lord Hillsborough, aided by his most illustrious friend the Nettlehen, has planned an act to change the mode of electing your council, which was to have been carried into execution this session, but was prevented by the contingencies I have mentioned. Could any action of their lives warrant a supposition that experience would teach them right wisdom, I should be inclined to believe, that perceiving how quiet the colonies are when not irritated, they will desist from agitating anew those waters which have not been easily composed. But I know that neither experience will give them true wisdom, nor time assuage their malice. Therefore I think it my duty to give you this information that you may have time before next session of parliament, to take such measures as you may judge most effectual to defeat their intentions.

I am the more suspicious that the measure is suspended only, that I find Lord Hillsborough takes great pains to persuade and to assure your countrymen that as long as they continue quiet nothing will be done to their prejudice. As treachery and imposition is his fort, there is most danger when his professions are warmest. Besides as he certainly intended mischief, he is more strongly induced to exercise those arts in order to quiet the alarm which such an intention going forth would necessarily produce. He possesses too a perverse spirit, that thinks he is doing nothing if he is not doing mischief. You may conceive, sir, whether such a temper perpetually acted upon by the implacable hatred of Bernard is likely to abandon a favourite system of tyranny and revenge,

without any apparent reason. I am therefore of opinion that the fire still subsists, though covered with deceitful ashes; and such I can assure you are the sentiments of the best friend you have here, Col. Barré.

It would form a very powerful objection to this bill, if America in general appeared to be alarmed at it. And certainly innovations abridging liberty in one colony are very just cause of apprehension to all. It might be therefore of great use to apprise the leading members of the different assemblies of the business, and engage them if it should be moved here to procure petitions against it. I will write to Mr. Dickinson upon it and to my brother. Should such a bill pass the first session, as it is proposed, the injustice of deciding upon a matter so interesting to the province without hearing their objections, will be flagrant. Should it be deferred after being moved, the rest of the colonies if properly prepared, will have an opportunity of joining you in the opposition, and though their councils are generally upon a slavish establishment already, yet this being a mode only of trenching on the freedom of your constitution they must see that if any other part of their constitution, should be equally obnoxious because equally free, the same attempt will be made to destroy it. The enmity conceived against the council proceeds from their having embarrassed and opposed them in their arbitrary proceedings. Therefore it is in truth an attempt against American liberty. Viewing it in this light the rest of the colonies cannot but be impressed with a sense of the common danger that attends the establishing a precedent for altering by the intervention of the British legislature, whatever opposes the arbitrary measures of administration in America.

I have read lately in your papers an assurance from Dr. Franklin that all designs against the charter of the colony are laid aside. This is just what I expected from him; and if it be true, the Dr. is not the dupe but the instrument of Lord Hillsborough's treachery. That Lord Hillsborough gives out this assurance is certain, but notorious as he is for ill faith and fraud, his duplicity would not impose on one possessed of half Dr. F.'s sa-

gacity. And indeed what reason is there for this change? Is the oppressive plan against America abandoned; or is it discovered that an independent council will be less troublesome in the prosecution of it than they hitherto have been? Neither the one nor the other; and though the reasons I have already mentioned compelled his lordship to suspend the execution of his scheme, yet to trust that it is therefore laid aside, is a degree of credulity and infatuation which I hope will never be imposed on the assembly. The minister's aim in these assurances is manifest, not only to remove the odium which the discovery must bring upon him, without his plans being executed, but to lull to sleep that vigilance and precaution which the detection would produce on your side, and which would much embarrass if not frustrate his design. Could he thus smother your suspicions and silence all opposition from you, he would have nothing to obstruct him but the agent, from whom his apprehensions cannot be very great. The possession of a profitable office at will, the having a son in a high post at pleasure, the grand purpose of his residence here being to effect a change in the government of Pennsylvania, for which administration must be cultivated and courted, are circumstances which, joined with the temporising conduct he has always held in American affairs, preclude every rational hope that in an open contest between an oppressive administration and a free people, Dr. F. can be a faithful advocate for the latter; or oppose and expose the former with a spirit and integrity which alone can, in times like these, be of any service. By temporising I mean consulting the inclination of ministers and acting conformable to that, not to the interests of the province. Thus when the Rockingham administration espoused the American cause no man was more zealous or active than Dr. F., since that he has been totally inactive; and his particular partizans here, the Quaker merchants, were opposed to the late measure of petitioning for the repeal of the revenue act; though the exciting the merchants and manufacturers here to petition against it was the great benefit expected from the non-importation agreements with you,

which the Dr. immediately after advised the Philadelphians not to violate. The artifice of this is manifest, that advice made him popular in America, his preventing the effect of it recommended him to administration here ; and in consequence we see, that though accounts of that letter were transmitted to Lord Hillsborough, the writer stands in the same place and favour as before, though it is a fixed rule of conduct with his lordship to displace all those who not only oppose, but who do not conform perfectly to his plan.

I feel it not a little disagreeable to speak my sentiments of Dr. Franklin, as your generous confidence has placed me in the light of a rival to him. But I am so far from being influenced by selfish motives, that were the service of the colony ten times greater, I would perform it for nothing rather than you and America, at a time like this, should be betrayed by a man, who, it is hardly in the nature of things to suppose, can be faithful to his trust. Your house has done me the honour unsolicited and personally unknown, to testify their approbation of the manner in which I have treated the enemies of America and their particular foes. Such an approbation is with me the highest incentive not only to oppose your avowed enemies, but to detect your false friends.

I could have wished the address of your council to the new viceroy had been conceived in a different strain from the one which I have read. The circumstances therein mentioned, as inducing them to applaud his majesty's appointment do, in my opinion, render the appointment more alarming and the person more detestable than even those of Governor Bernard. The man who rises to the same bad eminence, by sacrificing every sacred tie and every duty due to his country and to the community, of which he was born a member, most surely incurs guilt of a much deeper die than a stranger who commits no such violation of duty or of feeling. Such characters as that of Governor Hutchinson unhappily occur too often in history, and have ever been the bane of public liberty and virtue. With plausibility to conceal their want of principle and ambitious views, and knowledge to conduct

them successfully to their pernicious ends, they accomplish the attainment of what they wish, and become the most dangerous instruments of oppression; I will therefore venture to foretell that Mr. Hutchinson will prove one of the most abject tools of administration, that ever disgraced the dignity of human nature, or trampled on the rights of mankind.

Wishing that I may not have trespassed too much on your time and patience, I remain sir, your sincere friend and very humble servant,

ARTHUR LEE."

"TEMPLE, June 23, 1772.

My Dear Sir,—Since my last to you, I have received your two last favours; for which I cannot express how much I am obliged to you. I have reconsidered what I then wrote you touching the policy of a congress; and I am happy in retracting my opinion, upon a full conviction that you are wiser and better able to judge what is proper in this business than I can possibly be. From the very beginning of this dispute, I have taken that part in it which a general zeal for liberty, pointed by a particular duty to my country, prompted. I have been fixed in two fundamental opinions on it; that the parliament had no legislative right over us, and that when firmly united, we might maintain our rights against the power of this country. No position seemed ever clearer to me than that a free people could not be bound by laws not made or assented to by themselves. In so far as they were bound, they were not free.

When we consider from how much more feeble beginnings other states have established their claims to freedom, it is plain that a fixed resolution only was wanting on our part, to vindicate our invaded rights.

And yet I must confess to you that I wished the dispute might be accommodated without urging it to its utmost. I foresaw great present misery to America, in bringing it to such a decision at this time; and ruin to this country, which I cannot help revering as the noble nurse of generous freedom. It seemed to me that drawing a line between internal and external legislation, would leave us room enough to thrive and prosper in, and

this country sufficient power to maintain her ground against her European enemies. Something, I thought, was to be yielded to the parent state; and as we were rising and she sinking, I felt it more desirable that we should gradually arrive at the full enjoyment of liberty by inheritance, than by violently grasping at it, precipitate her fall.

These were my sentiments; and these I long ago laid down in a periodical paper, written in Virginia, signed Monitor. The first wish of my heart is that America may be free—the second is, that we may ever be united with this country. But this union, however desirable, must not be upon dishonourable and slavish terms. And in truth, I cannot discover a disposition in this country to unite upon terms fair and honourable to us, unless upon some degree of compulsion. That degree of compulsion will, I think, spring from a congress; and if it should not, such a measure will still have the very desirable effect of knitting firmly the colonies together. When that is effected, upon the great ground of public liberty, we may bid defiance even to this country. Your remark upon Junius Americanus is just, and yet there is some difference between defending the cause here and with you. The enemies of America have ever strove to avoid reasoning upon the real question, by the inflammatory charge of its being a pretence only on our part for claiming absolute independence. Our advocates have endeavoured to pin them down to the very point in issue, by affirming that no such claim was meditated, nor any resistance ever given to the operation of the supreme authority of the British legislature. It was policy to force the adversary to keep upon that ground, which was notoriously untenable. Neither would it have been becoming for an individual to have held so high a tone, until America had set the key. And certainly you have laid down and maintained a position which, since the commencement of this dispute, has been either not touched at all, or with a trembling hand. Nor could any thing be more fortunate than the event which produced your declaration. For it appearing to have been pointed out to you and forced

from you by the forward and impudent zeal of Mr. Hutchinson, no one imputes it to any premeditated intention, similar to that of which you have been accused. So that it happens with peculiar felicity that the very declaration, the charge of which so exasperated the minds of men here, is now formally made and irrefragably maintained, without exciting one murmur of reproach or indignation. The whole blame is visited upon Mr. H., who certainly at this moment totters on his throne. With how much melancholy propriety may he use these heart-felt reflections of Macbeth :

‘ I have lived long enough : my way of life
Is fall’n into the sere, the yellow leaf ;
And that which should accompany old age,
As honor, love, obedience, troops of friends,
I must not look to have ; but in their stead
Curses not loud, but deep ; mouth honor, breath,
Which the poor heart would fain deny, and dare not.’

I should have felt it as impiety not to have wished his fall ; yet I pity him when falling.

I have marked two things in the event of this contest between us and this country, which seemed to have flowed from a grievous overruling providence, precipitating our enemies into the very pit they had prepared for us. Their view was to enfeeble and enslave us. To effect this, they endeavoured to engage the public against us, by representing us as rioting in affluence, in a land where every thing was plentiful, and nothing taxed ; and that our opposition to their new system was grounded merely upon a claim of absolute independence. The people, taking these things for granted, are flocking to this land of milk and honey ; thereby enriching us and impoverishing them. The numbers that have shipped themselves off from Ireland and Scotland within these four years, and are daily emigrating, is incredible. So powerfully does the persuasion work, yet so opposite to their intentions. From charging us with aiming at independency, they have brought us to consider, then to claim, and I think in God they will bring us to confirm it.

With how much more propriety might the people for

this, than for what the governor directs, go up with a general thanksgiving to God, who out of evil hath manifestly brought forth good ; hath confounded the wicked in their own imaginations, and out of the malice of our enemies hath worked prosperity and honour to his servants.

Lord Dartmouth is too insignificant, for you to regard what he says. The letter you mention cannot do any good, and may in some measure be productive of the evil you apprehend. And yet I hope the conviction of the people is too strong to be misled by false lights. I am happy to hear of the firmness of Mr. H., and have undeceived Mr. Wilkes. The gentlemen you recommend shall be taken care of. I have read Mr. Adams's essays in the public papers, with astonishment at the depth of his law learning. He will do our society honour.

It gives me great pleasure to know that you and my brother Richard Henry, have commenced a correspondence. I recommended it to him ; and wished that no punctilio of ceremony might prevent a communication which must be, I am sure, beneficial to the great and sacred cause of public liberty. You will find him ever ready to defend, at all hazards, the rights and liberties of America.

I have this moment received information which I communicate to you in great confidence, for in such it was trusted with me by a peer, no one being now admitted to hear the debates of the lords. When they were a few days since debating on the East India bill, which among other things appoints judges for that country, Lord Shelburne rose and remarked, that he had heard nothing of America during this session, that he saw things taking a very serious aspect in that country, that on this very subject of judges there were great and just complaints, since as it was right and necessary that they should be independent here, it was much more so that they should be on that footing in America, because the farther power is from the fountain head, the more danger there is of its abuse ; that America was one of the cables which kept our political vessel from shipwreck, her rights were sa-

cred, and we ought to redress her grievances, that he had congratulated America on the appointment of the present noble lord to that department, from the moderation and purity of his principles; but he had hitherto expected in vain, the healing, conciliatory, and uniting measures, which he hoped would flow from that noble lord's sentiments, which he knew were once as friendly to the colonies as his own.

Lord Dartmouth replied that his sentiments were the same with Lord Shelburne's, and that he had formed his plan of redress and reconciliation, which he would carry into execution at the hazard of his office. I commit this intelligence to your discretion; at the same time I cannot help wishing it may not go forth among the people. Nothing can in my opinion do more injury to our cause, than withdrawing the attention and confidence of our countrymen from themselves, to a reliance on the promises of this country. To be redressed they must be respected, to be respected they must be formidable, to be formidable they must be united. You are now in a fair way of establishing that union; for God's sake let no delusive expectations divert you from it. Were this country to grant you every thing, they who call themselves our friends think we deserve, it would not be half so much as we ought to demand. Their utmost concessions flow from policy, not from principle. It is our business, when we do demand a bill of rights, so to frame it, that no question hereafter may arise touching the liberties we ought to enjoy. The indignity of having endured so many flagrant violations of our rights is now over, and we may coolly and circumspectly form our plan, and prepare for its effectual execution.

With regard to the particulars and extent of Lord Dartmouth's ideas of redress, I am unacquainted with them, as he speaks only in general terms. But I am sure his abilities and weight are not equal to the attempt. Lord North, who keeps him in his place, is very lukewarm in the business, and infirm in his seat; so that not only the inefficiency of what we may expect from them, but the improbability of their being able to effect any

thing, should prevent us from desisting from those great and effectual measures, which will establish our liberties upon the most permanent foundation.

We have just now carried Mr. Sayre sheriff for London, &c. in great triumph, solely on public ground, and the interest of the bill of rights. No men can be more determined in the cause of liberty than the livery of London. I shall not longer detain you from your public labours but to assure you, that I am, with the truest respect and esteem, dear sir, most sincerely yours.

ARTHUR LEE.

P. S. If you have kept any chronological account of the events since the commencement of our dispute in 1764, I shall be much obliged to you for it. The variety of pursuits I am obliged to attend to impair the memory of particulars, and it will be exceedingly laborious to revise all the papers containing them."

"MIDDLE TEMPLE, Dec. 24, 1772.

My Dear Sir,—I have long waited with anxious expectation for a letter from you. But I will not complain. You have not neglected the public. The present seems to be a favourable moment for exertion. I mean with a view of overthrowing some of those hypocritical traitors who reign over you. As to any farther success it is not to be expected. Lord Dartmouth is at least too moderate a character to attempt any thing grand or decisive. Connected as he is, the tenor of his conduct must be very humble.

Lord North, is for the quiet enjoyment of a place which he knows to be precarious, nor will he hazard the accelerating of his own fall, by attempting any thing so unpleasant as the redress of American grievances would be, to his royal master.

The East India business is like to engross the attention of this session of parliament. It seems probable that government will assume the *jura regalia* of that mighty dominion. This will fatally extend the influence of the crown. Our constitution is indeed already infected to the very heart. The ruin however may be accelerated. Asiatic wealth

has, like a mighty torrent, overwhelmed every free constitution upon which it has been hitherto turned. But the virtue of this unhappy country has at once to contend with the luxury of the East, and Scotch treachery.

To one however who adores liberty, and the noble virtues of which it is the parent, there is some consolation in seeing, while we lament the fall of British liberty, the rise of that of America. Yes, my friend, like a young phoenix she will rise full plumed and glorious from her mother's ashes. The numbers who are daily emigrating from this country, and the multitudes that on any public calamity will resort to us, must in a little time lay the most permanent foundation of populousness and power. America, in her turn, will be the imperial mistress of the world. The late contest turned upon us the eyes of all Europe, and whenever the people of it want refuge, or to seek the retreats of freedom, America will be their object.

We are endeavouring to prepare my lord Dartmouth for your representations, by giving him a proper idea of Mr. Hutchinson. Sir Francis is as assiduous in supporting him. I cannot but think that a determined opposition on your part to the dangerous innovation of pensioning the governor and judges, will defeat it. It is so directly contrary to his majesty's declaration, and so utterly inconsistent with every constitutional idea concerning an impartial administration of justice, that it cannot be maintained but on the ground of arbitrary policy. The removal of Mr. H. would I think be a very great mortification and check to those among you who are selling their country for plunder and preferment. I do not despair of this being effected.

I will take care that the generous conduct of Mr. Otis to his assassin shall be held up to the public. I hope that gentleman is perfectly recovered from the consequences of that infamous transaction.

It will give me very great pleasure to hear from you, and to know that you are all firm and unanimous in your opposition to arbitrary power.

I am dear sir, with very great esteem, your sincere friend and very humble servant,
ARTHUR LEE."

" JANUARY 25th, 1773.

My Dear Sir,—I have just now received your favour of Nov. 3, 1772, together with a pamphlet and some papers, for which I am extremely obliged to you. The packet however came to me open, which I am told generally happens to letters which come by Bristol; the merchants there being solicitous to acquire information in commerce before it reaches London. I must therefore beg the favour of you to be cautious of writing through that channel.

I shall take the liberty of putting the first part of your letter in the newspapers here, as I think it extremely proper my lord Dartmouth should read the excellent admonition it contains. I very much suspect that the approbation boasted of, is a forgery of the pious governor's. Be that as it will, 'tis fit his lordship should know it.

In truth I have very little hope from Lord Dartmouth. He is an insignificant character, and with all the affectation of piety and good intentions towards the public, he has voluntarily connected himself with a set of men, the most abandoned in private life, and the most flagitious in public, that this or any other nation ever produced. The sole inducement to so infamous a connexion were the emoluments of office. For these he has already made shipwreck of his character, which I fear he will never have virtue enough to retrieve. I have thought it however the most prudent method to treat him with tenderness at first, but should he continue to approve and support the conduct of your pernicious governor, he will be treated with as little lenity by Raleigh, as his predecessor was by Junius Americanus.

I cannot describe how much I am pleased with the spirit with which you oppose the infringement of your rights. I cannot but hope every town in the province will harmonize with Boston. Nothing will make so deep an impression here as a proof of unanimity and firmness.

My countrymen must ever remember what I have before mentioned, that from the justice of the ruling powers in this country they are to expect nothing, from their fears and necessities every thing. I agree entirely with you, that the tribute, is the indignity that must be done away. Your sentiments correspond entirely with those I signified to Junius in answer to his card, (of which I sent you a copy) in these words. "The emigration of our ancestors, you are pleased to say, deserved no praise. But did it deserve the worst of all punishments, the loss of liberty? We are not setting up any new claim, but opposing it in you. We are exclaiming against your invasion of those rights which are essential to the existence of freedom, against the infringement of those privileges which we have enjoyed and exercised for more than a century. The question is not whether we shall be perfectly free, but whether we shall be perfectly enslaved. While the crown possessed over us all the executive, the judicial, and three-fourths (so at least it is in Virginia) of the legislative authority, while this country exercised a supreme legislative power respecting our trade, and while we had no power of impeachment, it is plain we were far from possessing the rights of Englishmen. Indeed we retained but that single security of the constitution which arises from giving and granting our own money: and it is of that, you would finally strip us. It is for this we are contending, and I hope shall ever contend till we receive full and ample satisfaction."

The last signal act of my lord Hillsborough was his declaration of war against the Caribs of St. Vincent's. It is impossible to conceive a measure so wicked in its principle, and so weak in its plan. The troops were sent on that service at a season when they were sure of destruction from the inclemency of the weather. The intention of the armament was to seize by force upon their property, and if they refused to become slaves, to transport them to some desert on the coast of Africa. This is the plan laid down in his letters, which are now before the house. Had his conduct towards America, and the king's approbation in advancing him to an earl-

dom, left the least doubt of his being one of the most flagitious men alive, this business would have stamp upon him indelibly that character.

My lord Chatham and my lord Shelburne remain faithful to the cause of this country and America. But I would wish my countrymen to remember that salvation cometh not from the east, nor from the west, but from themselves. The scripture tells us that to put our trust in princes and in great men is futile, and certainly we were never so respectable here as when we seemed to be on the eve of appealing to God. I am afraid many of my letters to you have miscarried, that (which I think was sent by Mr. Story) containing an answer to the governor's resolution in council against J. Americanus, must have failed, as you have never mentioned the receipt of it. The full council ought in justice to have rescinded so scandalous a resolve.

Mr. Wilkes tells me he has information of Mr. Hancock's having deserted the cause. But I hope he is misinformed. It is sometime since I sent you notice of your being chosen a member of the bill of rights, which I hope you have received. As the postage of letters containing newspapers, &c. is extremely heavy, I have enclosed you franks with which I beg the favour of you to cover any thing of that sort which you may be so good as to send me hereafter. As there is not so great certainty of finding me in my chambers in the Temple, as my brother, I have got them addressed to him.

I have heard much of a sermon preached before your assembly by Mr. Tucker, I think, drawing the line between obedience and resistance. If it strikes you as worth reading, be so obliging as to send it me.

I have wrote twice to Mr. Cushing without receiving a line in return. The seeing Mr. Otis on your committee, gives me hopes he is recovered.

With the warmest wishes for your health and success, I am, my dear sir, your most sincere friend,

ARTHUR LEE."

"TEMPLE, June 11th, 1773.

My dear Sir,—I am so very unfortunate as to be disappointed in not receiving the letter which your last favour, of the 22d April, informs me you had written by the same opportunity. The captain can give no account of it; and I am very greatly disappointed. I am however very much obliged to you for the packet I did receive, as well as for the pleasure you intended me, and of which, I know not what accident has deprived me.

There is but one opinion here concerning Mr. Hutchinson's late conduct; and that is in condemnation of it. Nothing alarms them more than that spirit they flattered themselves was extinguished, and which they conceive this controversy has reanimated. I am extremely rejoiced at the manner in which the assembly of Virginia has taken it up; and I think it is now in a train which cannot fail of conducting us to what I have so long and ardently wished for, the establishment of a general and well weighed petition of American rights, which may be the fixed object of American opposition. The prospect of a general war in Europe strengthens daily; and it is hardly probable that another year will pass away before that event. You cannot therefore be too speedy in preparing to reap the full advantage of that opportunity, so as to leave the fundamental principles at least of American liberty no longer questionable. You have with great propriety mentioned in your answer to the governor's first speech, that the drawing a line being an arduous undertaking and of general concernment, you would not attempt it without a general congress. Of the justice of this I am clear, but doubtful of its policy. I cannot help thinking that the leading men in each assembly communicating with one another, would form a plan more wise and well considered than can be expected from a public body. And there would be no danger of effectual opposition to it in the different assemblies, when the time came in which they could demand a ratification of it from this country with assurance of success. My great objection to a public congress is that it will rouse this country, and perhaps incense her

to some hostile measure. The only contention in which we are unequal to her, is in that of arms. It is not wise policy therefore to provoke this issue of the dispute, if our purpose can be compassed without it. For with all her ill usage Britain is still our mother country. We are growing stronger every day, and she weaker. Therefore the more we procrastinate any desperate decision, if it must end in that, the fairer will be our prospect of success. But I conceive such a termination of it would be effectually prevented, if we deferred the open measure of a congress till the situation of this country, from its being involved in a war, rendered it impossible for her to attempt any military operation against us. My opinion is, that though every thing is to be hazarded rather than suffer ourselves to be enslaved, yet that if we can attain this, and without bloodshed, it is our duty to endeavour it.

Your reply to the governor's second speech is certainly unanswerable. The principle of the argument lies indeed in a very narrow compass. By the feudal law as it has been adopted into our constitution, all territory taken possession of in any manner whatsoever, by the king's subjects, rests absolutely in him. This has been the law and the practice invariably ever since we have any record of our proceedings. It is therefore that the king has ceded, given, or granted such territory to whom he pleased, and in what manner he pleased, without the intervention or consent of the state. By the state I mean here the supreme legislature, though the word sometimes stands for the king alone; and in the debate lately in the house of commons on General Burgoyne's motions relative to acquisitions made in India, it was admitted that the word state, might imply the crown or the company. Taking it however to import, as it generally does, and the governor intends, the king, lords and commons, there is not a single instance in which acquired territory did rest or was conceived to rest in them. So far from it, that the king since the last peace made a present of the conquered and ceded lands in the islands to the states, which was thankfully received. Which

surely would not have happened had there been an idea that they were not his to give. Of the additional acquisitions in America he continues to dispose at his pleasure, as absolutely his. It is true that the king being the head of the American states, and at the same time under the control of the two houses of parliament here, a virtual control arises to them from thence over his conduct in America. But this is not an original participation of power, but an incidental and collateral check over it. And certainly the mistake, or as I am more inclined to conceive it, the sophistry of Mr. Hutchinson, consists in not distinguishing between a direct original right and one that is merely incidental. Thus when Charles the First became Emperor of Germany, though the states could not claim any immediate control over his hereditary dominions, yet previous to their gratifying him in any demand, they might have stipulated that certain things should be done in Spain, and then they would virtually govern that country. It seems to me that this is the only method by which a British parliament can constitutionally interfere in the government of the colonies. But certainly this is a great question; and one which this country will never concede to reason. Necessity alone will prevail with her to give up this claim, however repugnant to constitutional principles. Let it therefore be our policy to watch for that necessity; and in the mean time avoid the risk of bringing it to the decision of force, in which alone, we have any chance of being losers.

It is impossible for me to find words to express my infinite contempt of him who would be capable of so shameless a prostitution of character, as publicly and solemnly to declare, that the "king has no wish but that of reigning in the hearts and affections of his people." There is not an action of his reign, some few treacherous ones excepted, but what manifest it to be his sole wish to be the tyrant of his people. To assert a thing therefore so notoriously false and flattering, argues such a turpitude of mind as ought to doom its possessor to a suspension between heaven and earth, as unworthy of a place in either. You may depend upon it that the late

American Act of Revenue, moved from the throne with an insidious view of dividing the American opposition, that is by holding up Rockingham, Lord Chatham, Shelburne and Camden, who were then in, as having adopted Mr. Grenville's policy with regard to us.

I have read Mr. Tucker's sermon with great pleasure. Lord Chatham and Lord Shelburne approve of it much, as they do of your proceedings in the town and assembly. They certainly do great credit to the province, and to the cause of America. Surely the governor will not venture into the field of controversy again.

I shall take care to undeceive Mr. Wilkes respecting Mr. Hancock. I am extremely sorry for the misfortune of the other.

Dr. Franklin frequently assures me that he shall sail for Philadelphia in a few weeks; but I believe he will not quit us till he is gathered to his fathers. Lord Dartmouth I understand has promised to contrive some method of admitting the payment of the late agents' salary, without forming a precedent for the future. He is a poor wretch; and though not so actively bad, is yet I believe as capable of adopting any unjust and arbitrary measure as my Lord Hillsborough. He forfeited his honour and his character in accepting the place; and his Rhode Island measure seems to show that he is a man after his majesty's own heart, arbitrary and hypocritical.

I am with great truth, dear sir, your affectionate friend,

ARTHUR LEE."

"July 21, 1773.

My Dear Sir,—I am indebted to you for yours of the 13th May, with the paper enclosed. It gives me pleasure to see every thing, the minutest expression of resentment in the people, against those who infamously aid in oppressing them. I confess it would give me pain to think that such base men as Hutchinson and the commissioners should profane with their unhallowed revels, the rewards of their treachery, that sacred hall which a zealous and much injured people have so often consecrated to liberty.

You are now acquainted, from the most incontestible

evidence, with the very men by whom you have been traduced, and at whose instigation, co-operating with their friend Gov. Bernard, so many atrocious injuries and insults have been brought upon you. It will be astonishing if the governor can, after the damning proofs produced against him, even palliate his conduct, much less propose a coalition which it is possible for you to adopt. I will trust to the resentment of the house for punishing him as far as they legally may ; nor should I be surprised if the more ungovernable, though not less honest indignation of the people should make an immediate sacrifice of such an insidious enemy.

You can certainly judge what would be most proper, to convey a true opinion of him ; the publishing his letters, or reading them in private. It must however be considered, that their being published would put all others so much on their guard for the future, that there would be no possibility of ever furnishing you with more. And I should conceive that showing them to the members and other leading people would answer every good purpose, without spreading the alarm to similar knaves, by making them public. The friends of this bad man must be very audacious, or the credulity of those to whom they speak unequalled, if after such specimens of his former correspondence, they hope to affirm with success that his late letters are ' replete with tenderness to the province.'

The letters you have, were obtained by a very singular accident ; and you may guess it will not be easy to procure any more, at least in a short time. I shall try however to get from Lord D. some general idea of the character Hutchinson has given him of the province. No doubt he will for the future be extremely guarded, though perhaps no human circumspection could have prevented the present detection. May providence thus always interfere to confound the politics of wicked men ; and teach even the worst of them that honesty is the best policy.

I neither see nor hear of any thing being done in consequence of Lord Dartmouth's promise. Were his prin-

ciples ever so pure, his ability and weight are not to be relied on. I am therefore of opinion that it will be best to pursue the plan your own wisdom points out, to effect a union of all the colonies on some general and conclusive grounds. There are a thousand little circumstances which prudence might suggest, with respect to this country; but the great consideration is, that you will be respected and redressed here exactly in proportion to the unanimity and firmness of your opposition. *Fortiter in re, suaviter in modo; concordia res paræ crescunt.*

Heaven prosper you. Adieu.

ARTHUR LEE."

"August 28, 1773.

Dear Sir,—I received your last, of 28th June, containing an account of the proceedings against Hutchinson and Oliver, in which I most entirely concur. It is indeed a real grief to me that the very name of our country should be stained with having given birth to men capable of so much baseness. Mr. Hutchinson's mind seems to be agitated by this event even to passion. Despondency and despair will assuredly succeed this weak effort. Miserable wretch! if he be not totally lost to all sense of virtue and shame, what a lot is his! Fallen into the practice of the vilest informer, he has as it were with the touch of Ithuriel's spear, started up in his own shape a fiend, detected, despised, and in every honourable sense of the word, disgraced. His politics confounded, his ambition marred, his gray hairs brought down with shame and sorrow to the grave. Feeling for him as he ought to feel, while I despise and detest, I cannot but pity him. How will the old and disappointed impostor meet the censure of the world; and what is infinitely worse, the condemnation of his own heart? If patriotism meets no reward, we may yet I think, rejoice that it shields us from calamities like these.

Mr. Oliver seems to end as he began, the pert, quibbling, egregious knave.

Your petition remains unpresented, Lord Dartmouth being out of town. It is somewhat extraordinary that several councils should have been held upon the affairs of America without his being present. I suspect he has declared his determination to resign, if conciliatory measures are not adopted. He is so strongly pledged to do this, that cheap as I hold him, I think he cannot have failed. The resolves of Virginia, I understand, is the measure they stomach least. They have not yet however determined upon any thing. Should they at length resolve to persevere in defiance of us, I expect Lord Dartmouth will resign, and Lord Weymouth succeed him. The Bedford party and the king are for urging the tyranny. It will puzzle them, I trust, to pursue their plan without shame and disappointment to themselves. If a general communication takes place among the colonies, as I cannot doubt it will, it is not in their power to prevent our regaining in the most ample manner, the rights they have violated. They may indeed protract the day of restitution, but it will finally be fatal to the very power they wish unduly to promote. Instead of an immediate, manly compliance, which would conciliate our respect, they will wait till they are compelled to an ignominious surrender, which will create our contempt. One cannot but lament that the seeds of lasting enmity and disunion should be thus sown between two brave people, who united are proof against the world in arms, by men who have neither worth nor wisdom.

I am very sensible of your goodness to me, and of the honour the house have done me in their directions to Dr. Franklin. I hope at least in zeal and assiduity, I shall not disgrace your recommendation, or disappoint the confidence of the house. It will be more than a twelve-month before I shall be called to the bar, till which time I cannot speak, as counsel, before the council. I am not such a favourite as to obtain any relaxation of their rules. Indeed I believe the petition will not be referred to a hearing, unless Hutchinson should come over and demand it. It is a business administration would not wish to have agitated, especially in public. Even bad men find

it generally convenient to renounce the traitors, howsoever they may approve the treachery; and, as the court must be convinced that the two criminals having lost all confidence with the people, are thereby incapacitated to serve them any longer, I do believe they will be dismissed. I hear very little said in their defence, and even that by insignificant persons.

To corrupt the administration of justice in the persons of the judges, is the last effort of political wickedness. The judges who submit to this state of corrupt dependence, ought to be branded as enemies to their country. They should experience at least the universal and constant contempt of their countrymen. They will soon feel their salaries dearly earned.

May the great God, in whose hands are all the corners of the earth, confirm and guide you in that which alone can work our salvation, a firm union, and a resolute, unremitting opposition.

I am, my dear sir, most sincerely yours,

ARTHUR LEE."

"TEMPLE, Oct. 13th, 1773.

Dear Sir,—Nothing has happened since last I had the pleasure of writing to you. Lord Dartmouth is still in the country, your petition therefore not delivered, nor does any thing transpire relative to the intentions of administration.

Lord North is a man totally immersed in the corruption and emoluments of office, and who therefore wishes by all means to avoid moving momentous questions. Yet I think the affairs of America must come into parliament next session. Parliament is prorogued to the 23d Nov., and unless something unforeseen happens, will not meet till January. They have therefore full time for deliberation. As to us, delay may be distressing, but it is not dangerous. Every day gives us new light and new strength. At first it was a tender point to question the authority of parliament over us *in any case whatsoever*; time and you have proved that their right is equally questionable *in all cases whatsoever*. It was certainly a

great stroke, and has succeeded most happily. It will remain an authentic record to vouch in opposition to their declaratory act, whenever the great and ultimate question is seriously brought forward. It stands uncontroverted. The champion for despotism, Mr. H. has in the opinion of all mankind cried *Craven*. And we not only grow strong in argument, but in people to maintain it ; as well from a rapid natural increase as from numerous emigrations. Turning the prospect a thousand times in my mind, I see decided victory dwell upon our side. This proud usurping parliament must humble itself before us, and acknowledge the liberties of America and England to have the same sacred foundation.

Have we not reason then my friend to be of good cheer ; to congratulate ourselves that we are engaged in the cause of virtuous liberty and truth ? The present oppression may be painful, but we shall work out our salvation. We shall establish our rights in adamant, and rear an imperishable monument to liberty.

I am with great truth, dear sir, your most sincere friend,

ARTHUR LEE.

P. S.—I had forgot to mention the scheme which is carrying into execution of insidiously obtaining from us the duty on tea, by the company, under an act of the last session, exporting that commodity to America on their own account, and paying government the duty here. Should this succeed, the company will never be prevailed on to petition for the repeal of the American Revenue Act, besides that its success may lead to a thousand other artful ways of enslaving us, by what alone can effect it, our own acquiescence. The introduction of the tea ought I think therefore to be opposed. I enclose you a letter on that subject. The confidence with which the least appearance of safety inspires cowards, should make us cautious of permitting administration to succeed in any of their measures. The commodity may under this manœuvre come cheaper to the consumer, the merchants' commission, &c. being avoided, but whatever touches our liberties should, under every temptation, be shunned. Besides when once they have fixed the trade

upon us, they will find ways enough to enhance the price.
But I rest in your wisdom. A. L."

"No. 33, TOWER HILL, Dec. 22d, 1773.

My Dear Sir,—No new light has been thrown upon American politics since I last wrote to you. My Lord Dartmouth continues promising every thing and doing nothing. His suffering the order for paying the judges' salaries to remain unsettled, and refusing that of your agent, is a proof to me that he has no inclination or no power to relieve us in any thing. The means of redress for the rest of our complaints he may say parliament only can minister. But he can have no such excuse for protracting the revocation of the instructions to the governor, with which parliament have no concern. I protest to you it seems to me that the intentions of administration are the reverse of being conciliatory or remedial. I cannot but think that the sending tea to America was a ministerial trick of Lord North's, who is treachery itself, to stir up again some violence on your part, which might justify them in continuing the present impositions by coercive means. The directors were to my knowledge fully apprized of the consequences of sending the tea, and that it would end in a certain loss to the company. But they were determined to make the trial without giving one reason for it, and it is well known they are under ministerial influence.

I wish most sincerely I may be mistaken in Lord Dartmouth. Perhaps the utter contempt in which I hold him may beguile my judgment. Had he done any one of those remedial acts, which, if he is minister, were in his power, I should have some hope. But how can it be expected that having violated every tie of honour and of gratitude to get into place, he should behave well in it.

I have been afraid that your letter to him would give offence to the other colonies; and shock in its infancy the union and confidence which are so essential to our welfare. As it lays down a plan of redress for the whole, should not the sense of the whole have been taken before it was authorized by your house of assembly? Let

us suppose the ministry should pretend to adopt it, and several of the other colonies should not be contented, they would then plead that as you could not agree about the mode, no relief could be given. This would be a very likely means of involving you in irreconcilable disputes, and destroying all confidence and harmony among you. I speak only of what I fear. It must be remembered that free people are always zealous and umbrageous. Great management is requisite to keep such spirits in temper. Believe me sir, the harmony and concurrence of the colonies is of a thousand times more importance in this dispute than the friendship or patronage of any great men in England. The heart of the king is hardened like that of Pharaoh against us. His nobles are so servile that they will not attempt any thing to which he is averse, unless necessity should compel both him and them to assume a virtue which they do not possess. That necessity must come from your general, firm, permanent opposition. To cultivate and preserve that, is therefore the first object of American policy. The operation of it though slow, will be certainly successful.

Our valuable friend Mr. Temple is in some distress at present. Mr. Whately has raised a suspicion of his having taken from him clandestinely the letters sent to you. A duel has been the consequence, in which Mr. Whately was wounded. Many scandalous falsehoods have been circulated by Mr. Temple's enemies, impeaching his fairness in the encounter, at which, by Mr. Whately's desire, there were no seconds. Mr. T. will give them a complete answer as soon as Mr. W. is entirely out of danger. He received no wound. There is no man more obnoxious to Hillsborough, Bernard, Knox, and all that tribe of determined enemies to truth, to virtue, liberty and America.

Your petition against the base betrayers of their country remains, as far as I can learn, *sub judice*. Lord Shelburne will endeavour to have the complaints of America attended to, their situation examined, and their grievances redressed in the ensuing session of parliament. For the interest and happiness of both countries it is my most

earnest wish that moderation and justice may govern for once the measures of this administration.

I am yours most truly,

ARTHUR LEE."

"LONDON, Feb. 8th, 1774.

Dear Sir,—I informed you in my last of the insolent abuse which the solicitor-general, Mr. Wedderburne, poured forth against Dr. Franklin before the privy council, at the hearing of your petition. Dr. Franklin bore it all with a firmness and equanimity which conscious integrity alone can inspire. The insult was offered to the people through their agent; and the indecent countenance given to the scurrilous solicitor by the members of the privy council, was at once a proof of the meanness and malignity of their resentment. I enclose you some papers, in which you will see Mr. Wedderburne treated as he deserves.

I mentioned that they threatened to take away Dr. Franklin's place. That threat they have now executed. The same cause which renders him obnoxious to them, must endear him to you. Among other means of turning their wickedness to their own confusion and loss, this of the post-office is not the least desirable, or most difficult. Though not a tax in its principles, it is in its operation. It produces already £3000 yearly, and is hourly increasing. This revenue therefore alone would furnish most fearful means of corruption. We see from the violent and ungrateful treatment of Dr. F., whose wisdom and industry alone has fostered it from being worse than nothing, to its present prosperous state, that it is expected the post-master shall be an enemy to America. In every view therefore, it is our duty to frustrate by all means so pernicious an institution. The means are in your hands, and easily applied. Let the merchants of Boston, New-York, and Philadelphia, support carriers by subscription, who shall deliver all letters post free, and this imposition will inevitably fail.

The present time is extremely critical with respect to the measures which this country will adopt relative to America. From the prevailing temper here, I think you

ought to be prepared for the worst. It seems highly probable that an act of parliament will pass this session, enabling his majesty to appoint his council in your province. On Tuesday last the Earl of Buckinghamshire made a motion in the house of lords for an address to the king, to lay before them the communications from Gov. Hutchinson to the secretary of state. He prefaced his motion with declaring, that these papers were to be required merely out of form; for that the insolent and outrageous conduct of that province was so notorious, that the house might well proceed to punishment without any farther information or enquiry. That it was no longer a question whether this country should make laws for America, but whether she should bear all manner of insults and receive laws from her colonies. That Dr. Franklin was here, not as an agent of a province, but as an ambassador from the states of America. That he could not compare his embassy to any thing but that sent by Louis XIV. to the republic of Genoa, commanding the doge to come and prostrate himself at Versailles, to appease the resentment of the grand monarch. One can hardly conceive a man's uttering such an absurd rhapsody even in the delirium of a dream, much less in a deliberate, premeditated speech, and upon the most important question to this country that can ever come before the legislature. He was answered by the Earl of Stair, who said it could be consistent neither with humanity, justice, nor policy, to adopt the noble lord's ideas against America. Lord Dartmouth then begged the motion might be withdrawn, not, as he said, from any desire to throw cold water on the noble lord's zeal, but because the despatches were not yet arrived, and they would be laid before the house in due time. The motion was withdrawn.

Lord Dartmouth declaring that he did not mean to throw cold water on *such* zeal, might proceed from the affected meekness of his temper, or from his approbation of it. Indeed the insincerity and insignificancy of the man make his motive very immaterial.

By very late letters from New-York we understand that

it is settled to return the tea, as at Philadelphia; and that the governor will not interfere. This completes the history of that unfortunate adventure; but it leaves Boston singled out as the place where the most violence has been offered to it. Your enemies here will not fail to take advantage of it, and Mr. Hutchinson's representations I presume will not soften the matter. They will shut their eyes to what is obvious, that his refusal to let it repossess the fort compelled you to that extremity. Be prepared therefore to meet some particular stroke of revenge during this session of parliament; and instead of thinking to prevent it, contrive the means of frustrating its effect. I have already mentioned the alterations of your charter relative to the election of the council; but I am in hopes true patriotism is too prevalent and deep-rooted among you, to suffer them to find twelve men even upon the new establishment abandoned enough to betray their country. I am willing to flatter myself that there are not six such men as Hutchinson and Oliver in the whole province.

If our wise men here should think proper to publish a second edition of the Rhode Island commission, grounded on the governor's lucubrations on the treason committed by the town-meeting and the Mohawks, what reception will it meet with in Boston?

I am, my dear sir, your most sincere friend,

ARTHUR LEE."

APPENDIX II.

The following is the commencement of a memoir of the American revolution which Mr. Arthur Lee did not live to complete. Much of what he did write has been lost, and but a mutilated *scrap* can be presented to the reader.

MEMOIRS are the handmaids of history. They furnish her with facts, which are the foundation of her work. They enable her to trace to their true though secret motives, actions which would otherwise appear dark and incomprehensible. By these she develops what is hid, and illuminates what is obscure. Memoir-writings therefore, though they may be of less dignity, are not of less utility than history.

It is to aid in placing the history of the American revolution in its true light, that the following memoirs are written. The author of them was concerned in its events from its commencement to its conclusion. He was employed generally in the highest stations, and in the most secret and confidential transactions. He always preserved the original papers and letters, on which he founded the journal from which the following memoirs are extracted. He is therefore sure of their authenticity, as well as of his determination, "*ne quid falsi dicere; ne quid aore narrare.*"

The writer of these memoirs was in London when the repeal of the stamp-act was agitated in both houses of parliament. He heard Mr. Pitt* and Lord Camden deliver those celebrated speeches on this question, which would have immortalized them as orators and statesmen. Though the obnoxious act was repealed, yet he was persuaded that the spirit which dictated it and was still resting near the throne, was not changed. With this impression he returned to Virginia.

* Never were the power and fascination of eloquence more strongly exemplified than in the speeches of Mr. Pitt. * * * * * [The rest of the note is obliterated.]

It was not long before his apprehensions were realized, by the passage of an act of the British parliament for imposing duties on tea, paper, glass, &c. exported to the colonies. This was changing the mode, but preserving the principle of the stamp-act. This was soon and ably pointed out in some periodical letters, under the signature of a Pennsylvania Farmer. These letters were written in a popular style, were universally read, and as universally admired.

I endeavoured to aid their operation in alarming and informing my countrymen, by a series of letters under the signature of the Monitor. In the course of a few months it was manifest that the people of this continent were not disposed to be finessed out of their liberties; and as I knew that the British cabinet was determined to enforce rather than abandon the usurpation, I was persuaded that a very serious contest was approaching. To prepare for that was the next object of my mind. The most effectual way to accomplish this, it seemed to me, was to form a correspondence with leading patriotic men in each colony. I wrote myself to London, where the acquaintance I had would enable me to obtain speedy and accurate information of the real designs of the British ministry, which being communicated to leading men in the several colonies, might enable them to harmonize in one system of opposition, since on this harmony the success of their opposition would depend. In pursuance of this plan I went to Maryland, to Philadelphia, and New-York. The men I had in contemplation were Mr. Daniel Dulany, who had written some able pieces styled Considerations on the Stamp-Act; Mr. John Dickinson, who was the author of the celebrated Farmer's Letters; and the leader of the Livingston party in New-York, who is at present governor of New Jersey.

I found Mr. Dulany so cold and distant that it seemed in vain to attempt any thing with him. Mr. Dickinson received me with friendship, and the contemplated correspondence took place. Mr. Livingston, of New-York, was absent from the city in the country, lamenting the death of a child, so that I did not see him. The time I

was to sail for England now approached; I could not therefore proceed farther eastward. Embarking with one of my brothers, we arrived safe in London.

The proceedings against Mr. Wilkes at this time agitated the nation. Mr. Wilkes was the idol of the people, and the abhorrence of the king. All the power of prerogative, all the influence of the crown, and every practicable perversion of law, were employed to subdue him. Of courage, calm and intrepid, of a flowing wit, accommodating in his temper, of manners convivial and conversible, an elegant scholar, and well read in constitutional law, he stood the atlas of popular opposition. Such was the man against whom the whole powers of the crown were mustering their rage; and whom, to use the words of Junius, "the rays of royal indignation collected upon him, served only to illuminate, but could not consume." Mr. Wilkes was then confined in the King's Bench, as the printer and publisher of the *Essay on Woman*. The city of London was the strong hold of popular opposition, and the society of the bill of rights the most active in conducting it. This society consisted of real or pretended personal friends of Mr. W.; but some insinuated themselves with very different views.

Having taken this view of the political condition of England, I formed the plan of connecting myself with the opposition; and the grievances of America, with those of England. For these purposes I became a member of the bill of rights, and purchased the freedom and livery of the city of London. By these means I acquired a voice and influence in all the measures of that society, and in the proceedings and elections of the city. An acquaintance with Mr. Wilkes soon grew into intimacy and confidence. The arbitrary views of the crown originated in the same spirit on both sides of the Atlantic. To sensible men therefore, the combining of the complaints of the people of America and England, appeared just and politic. I procured the introduction of the grievances of America into the famous Middlesex Petition;* and to

* This was not effected but with great trouble and difficulty, even in the following general words. "The same discretion has been extended by the same evil

keep them alive in the popular mind, I commenced and continued a periodical paper, under the signature of *Junius Americanus*. My brother established himself in London, was elected an alderman and one of the sheriffs. Our footing was now strong, and the American cause was firmly united with that of England. During these transactions I studied the law in Lincoln Inn and the Middle Temple, and being called to the bar, practised in the king's bench and on the home circuit. This situation increased my opportunities of serving my country.

Lord Hillsborough was then first lord of trade. Frequent conversations with him convinced me that the ministry were fixed in prosecuting their American plan, and were determined to make such alterations in the colonial governments, as should accommodate them to the new system of parliamentary power. A government west of the Alleghany mountains was to be constituted on this new ministerial model, under the name of *Vandalia*; — and — were the principal proprietors in this grant, and the most active petitioners for it.

Of the disposition and intentions of the administration I kept my correspondents in America constantly informed, with this constant opinion, that they must prepare to maintain their liberties at all hazards. My conduct in England had reached America in so favourable a light, that the house of representatives of Massachusetts elected me their agent in case of the absence or death of Dr. Franklin. At that time I was not personally known to any member of the house. The answer to the speaker of the house of representatives, the Hon. Thomas Cushing, was as follows.

“MIDDLE TEMPLE, January 6th, 1771.

Sir,—I have had the honour of receiving your favour of the 23d November 1770, intimating to me the pleasure

counsellors to your majesty's dominions in America, and has produced to our suffering fellow subjects in that part of the world, *grievances* and *apprehensions* similar to those of which we complain at home.” The subject was novel, supported only by myself, almost a stranger, and appeared to many of the leading men to be foreign to their purpose.

of the house of representatives of Massachusetts bay respecting their agency.

Do me the favour sir, of accepting my thanks for the very obliging manner in which you have signified to me the intentions of the house; and suffer me to convey through you my warmest acknowledgments to the house, for this distinguished and unmerited mark of their confidence. The approbation of a free people I shall ever deem the most desirable and their service the most honourable. Especially am I flattered by the generous confidence of a representative body, who have uniformly asserted the constitutional rights of their constituents and eventually of all America, against the insidious and incendiary arts of government with a dignity, discernment and wisdom which have forced the applause of the present, and will secure to them the veneration of all future times. Feeling the same zeal for the sacred cause of American liberty which eminently animates your house, and having a lively sense of the particular oppressions of your province, I may venture to assure you sir, that if ever the trust should devolve upon me, out of the abler hands in which their wisdom has now placed it, I will to the utmost of my power watch over their rights and co-operate with them to obtain a redress of grievances, and to fix our constitutions on a clear and permanent foundation. It is incumbent on me however, and I willingly embrace this opportunity to declare, that America must depend on herself for obtaining the security and redress she wishes. From this country a *secondary* support only is to be expected. It appears to me that nothing can be more necessary than that this truth should be well understood, lest too much confidence in others should lull us into a fatal security, or slacken those patriotic exertions which to be effectual should be ardent and unremitting. America must work her own salvation. His majesty's present ministers have brought the trial so fully forward as to render unremonstrating submission perfect slavery. They have substituted discretion for law, and set the principles of the constitution, which should be fixed and free, afloat upon the

merciless and fluctuating sea of arbitrary will. Not to oppose this most pernicious system would be a crime, to oppose it unsuccessfully will be only our misfortune. After juries have been abolished by the present establishment of admiralty courts, or rendered nugatory by the partial conduct of prerogative judges, our assemblies to every great purpose of the constitution almost annihilated, property disposed of without the consent of the people, in short when the representative part of the constitution, the legislative, executive and judicial powers are completely torn from us, and vested in our arbitrary rulers, what farther badge of slavery have ministers to impose, or we to wear. Yet if force and lawless power must at present prevail, still it behoves us to protest against that which we cannot prevent; and bear our testimony before God and man, that we did not submit without a struggle to this humiliating state of absolute bondage; that our posterity when they have power, and power they will have, may not want spirit and example to reclaim those liberties which their forefathers reluctantly resigned. You will pardon me sir, if I have trespassed upon your patience. 'Out of the fulness of the heart the mouth speaketh.' My heart is filled with grief and indignation for the oppressions of my country; and my tongue shall sooner cease to move than to remonstrate against them. Convinced of the righteousness of the cause in which we are engaged, since nothing tends more to debase, vitiate, and abuse mankind, than the tyrannic system we are opposing, we may well trust that heaven will assist our earnest endeavours, and direct them to a happy issue out of all our difficulties.

That the blessing of Almighty God may prosper all your councils I most sincerely pray.

And am with great respect, honourable sir, your friend and servant,

ARTHUR LEE."

The rescinding the non-importation agreement by a formal act of the merchants of New-York about this time, gave a great shock to the friends of America in England, and seemed to threaten the dissolution of all effectual opposition in America.

A friend to Mr. Samuel Adams of Boston, had recommended to me the establishing a correspondence with Mr. Adams. As it coincided with my views, I readily adopted his advice, and wrote to him as follows.

" MIDDLE TEMPLE, January 10, 1771.

Sir,—Our friend Mr. Sayre has done me the favour of communicating to me your very obliging invitation to a correspondence. An honour which I accept with great pleasure, because I have long respected your character, though your person was unknown to me. It will always make me happy to submit my sentiments on the present state of politics, so very alarming to public liberty, to one, with whom I flatter myself I shall entirely harmonize in views of public good. It will be peculiarly unfortunate when the foes of liberty and virtue are conspiring together manifestly to subvert the constitution, if the friends of freedom should stand single and un-united, to fall unpitied sacrifices in an unavailing struggle. And certainly, despicable as those are who meditate our ruin, they set us an example of union, secrecy and perseverance, which highly deserves our imitation. Nothing escapes, of the conferences between Lord Hillsborough and Governor Bernard. Their doings are kept perfectly secret, and by the instructions to the wretched, because dishonest Hutchinson, they seem determined to fix an hermetic seal on all the springs of their movements with you. I have great comfort, however, in perceiving with what sagacity your house develops their designs, and the firmness with which you oppose them. Even the plausibility of a Hutchinson is not equal to the task of evading that vigilance, which marks the representatives of your province as the real guardians of the people's rights. In that truly respectable and patriotic house, you, sir, stand eminently distinguished; and as a friend to liberty I have long been thankful to you for your wise and spirited exertions in its defence, without having had an opportunity of offering you my thanks. Do me the favour to accept them now, and be assured that whatever may be the event of the contest, they who have stood honestly

forth in defence of the liberties of their country, will have their reward in the applause at least of all the worthy part of mankind.

The infraction of the non-importation associations with you, has operated here like an opiate on all but the enemies of America. It has either benumbed their expectations, or quieted their apprehensions, so as to make them believe the American opposition entirely annihilated. It is plain, however, that our enemies are not so deceived, since they are strengthening the hands of oppression with you, and taking every precaution to render their despotic system as permanent as it is pernicious. We have, therefore, now little to expect from the public here, and still less from the leading men in this nation. From this number, however, I am bound in truth to except the lords Chatham, Shelburne and Camden, and Col. Barré, who very sincerely wish, as I well know, to restore to us our violated rights, and the constitution as we formerly enjoyed it. Two evils have arisen from the manner in which the associations have been broken, which I am much afraid are irremediable—the loss of all character here with the public, and the destruction of that confidence and harmony among the colonies, so essentially necessary to unite their efforts and render them successful in the common cause. To regain the opinion of the public here, and reunite the affections and operations of the colonies, is a task, however arduous, that must be undertaken. I can hardly think that the best plan of opposition will otherwise succeed. Might it not effect this to establish a correspondence among the leading men of each province, that you might harmonize in any future measure for the general good in the several assemblies. Unanimity among yourselves will render you formidable and respected here. I observe that those who write in the public papers here against your town, are furnished with very speedy and accurate intelligence on all political affairs with you, which they communicate in such portions and manner as may best prejudice the public and promote their purposes. I have often lamented the want of authentic information to refute them,

where from the general complexion of their story I conjectured it was fraudulent and false. It will not, however do to hazard one's conjecture on this ground, because being once wrong would fix mistrust on every future attempt. I shall therefore be always obliged to you for such intelligence as will enable me to detect their falsehoods, and defend the province and the town from their unjust aspersions. The character you give of Mr. H—h—n is exactly conformable to the idea I had formed of him. The lust of power, not worthy of being dignified with the name of ambition, is the animating principle of his conduct; and duplicity, the mould in which he casts it. His public acts show him to be a devoted tool of the present government, and I could not brand my bitterest foe with a more odious appellation.

My Lord Sandwich, "*homo omnium quos terra sustinet sceleratissimus*," is made secretary of state on the resignation of Lord Weymouth. The cause of his resignation is supposed to be the accommodation which is contriving with Spain, too infamous it seems even for him to countenance. Madame Barré has gained the entire ascendancy in the French cabinet, in consequence of which Chosieul, who was for peace, is supplanted. Upon the whole, I believe it will hardly be in the power of our abject ministers to avoid a war; and if so, America will, for the present, suffer no farther oppression. Indeed if she is wise, then will be the time to insist on a bill of rights, before she lends her blood and treasure to increase that power which is turned to her destruction.

I have the honour to be, sir, with very great respect,
your most obedient humble servant,

ARTHUR LEE."

At this time the disposition of the court of Spain seemed so inclined to war, that though it was as little the wish of the ministry to hazard themselves in that field, as it formerly was that of Sir Robert Walpole, yet the bold proceedings of the Spaniards seemed to render it inevitable. The ministry were constantly goaded to it by the opposition, as a rock on which they must be wreck-

ed. Every one knows by what a shameful submission they appeased the wrath of Spain. The manner in which the non-importation agreement had been violated in America dwelt heavily on my mind. The bad consequences of it appeared alarming in proportion to the high expectations which were founded on it. I was deceived both in my expectations and apprehensions. There are indeed so many unforeseen circumstances which defeat the best concerted political projects, that an experienced politician will build upon them with extreme caution. The anxiety of my mind dictated the following part of a letter to Mr. John Dickinson, dated January 10th, 1771.

“From this pleasing prospect I must now turn to the melancholy view of our political state. When I speak of my country it is in the despair and grief of my heart. She is undone. That virtue which alone could have saved her does not exist. There is in my apprehension a fatal sympathy between the merchants and the people. The former would never have hazarded such copious importations had they not been assured that the latter would purchase them. And if our liberties are not worth the difference between a homespun and a broadcloth coat, between a worsted and a silk stocking in the estimation of the people, on what are we to found our hopes of retrieving our rights? We have demonstrated our slavery, and submit to be enslaved for the most contemptible of all human gratifications, that of vanity. We have rattled our chains through all Europe, that all Europe might see we have not spirit to shake them off. It is not a doubtful business, a plausible usurpation, but an avowed, demonstrated, and acknowledged tyranny. We are not deluded, but driven into slavery. And this, not by the valour, the wiles, or the wisdom of the tyrant; but by our own intolerance of every honourable and virtuous effort to redeem us from bondage. It is not that the non-importation agreements have been given up; but that they were faithlessly kept and shamefully abandoned. A measure found by experience to be impracticable or inadequate, might have been dropped with honour and propriety, but mutual treachery and bitter

recrimination must render every future operation contemptible and nugatory. In these circumstances sir, even your confidence and assurances can hardly revive my hopes. I am certain too that even our friends here, were they to come into power to-morrow, would not attempt to redress our grievances. They well know that against the sense of the members and lords of parliament, against the plans and principles of the ostensible administration men and interior cabinet, but above all against the wish of the king and his favourite ; such an attempt, without a steadfast, determined, alarming opposition on the part of America, must be without success. It is therefore but too sure that the chains which the late system imposed, are rivetted on us. There are indeed leading men in this kingdom who are against the whole system, both principle and practice, but their opinions are over-ruled, and that without hope of the reverse. There is however one event to which I yet look forward with some confidence ; an event which cannot be at any great distance, that of a war. One noble and united struggle *then* would yet redeem us. I therefore took the liberty of proposing to your consideration whether it would not be proper to prepare for that opportunity, especially in point of union ; for unanimity among the colonies is absolutely necessary to success, whatever may be the measure pursued. The assemblies should harmonize in three things. Refusing supplies without redress of grievances ; repeating their resolve of rights ; and sending over petitions for redress at that critical and alarming period, when the value of our affection and assistance will appear in its highest lustre ; the more symptoms we show of discontent and alienated affections the more sure will be the attainment of our end. Therefore the moderation so commendable at other times, would assuredly injure us then. If you could communicate this scheme, modelled and digested by your better judgment to such leading men in each colony as may be trusted, a plan might be deliberately formed, and a measure of so great importance would not be left to the precipitate emergency of the moment of action.

It is proper sir, that I should make some apology for presuming to advise where there is so much superior wisdom and knowledge. But I am prompted to exceed the limits of modesty by the warmth of my heart for the liberties of my country, and encouraged by the candour with which you treat me, to hope that excess will be pardoned. I am very well satisfied of the propriety of what you urge against addressing the people at this time; but it is far from seeming probable to me that the ministry will soon give any fresh cause of complaint by adding to the oppressions with which we are already loaded by any general act. Their system is the reverse. They think that to secure the ground they have already gained is sufficient for the present, and will furnish a foundation on which, when opportunity serves, an ampler tyranny may be erected. And surely we must want gall to make oppression bitter, if that we now sustain is insufficient, and our principles of liberty must be feeble indeed if we let the favourable opportunity of a war pass away unembraced and unsuccessful. You very justly observe that to move large bodies permanently there must be an appearance of deliberate moderation. But when opportunity seconds inclination, less address is requisite for the purpose. Our political state here is not very promising; opposition is weak, and what is worse, wicked; meaning no good to the people, and therefore not strengthened with their confidence. Administration, abandoned and having no character to lose, lend themselves desperately to the worst measures. There seems to be no hope but in Lord Chatham and Lord Shelburne. Nothing but the emergency of a war will bring them in, on their patriotic principles. The ministry very sensible of this are warding off a war with their utmost art. But the politics of Europe seem so much inclined to a rupture that it appears inevitable. The Duke of Bedford's death will throw the whole power into Carleton house; but whether they will attempt or be able to sustain it alone, is doubtful. At present they seem inclined to recruit by draughts from the opposition, and the dispute will be between the

Rockingham and Grenville parties, who are both at St. James's market, but differ in their price.

I have the honour to be, &c. &c.

ARTHUR LEE."

My political progress had made me acquainted with many of the leaders of all parts of the opposition, such as Lord Shelburne, Mr. Beckford, Lord Temple, Mr. Dunning, sergeant Glynn, Col. Barré, Mr. Wilkes, the aldermen Sawbridge, Townsend and Oliver.

It was by constantly comparing the different ideas of those gentlemen with one another, and with the plans and proceedings of the ministers, that I was able to form a pretty accurate judgment both of the real intentions of the latter, and how far America was warranted in relying on the support of the former. These were the two principal objects of my pursuit. The dearest rights and interests of my immediate country were at hazard. It would not have been wise to have trusted these to the mere issue of political intrigues and party opposition for place and preferment. Some however of the above leaders, appeared to me hearty in the cause of America, as well as of England. Their advocacy of liberty was general. Among these, the most illustrious was the Earl of Shelburne. Him I had long known, long studied, and found his conduct uniform and unimpeachable. But the private life of this nobleman was no less the subject of my esteem and admiration. The following letter will bear testimony of my sentiments at that time regarding him; sentiments which under great and various trials since, I have had no reason to alter.

"October 25, 1772.

To Dr. Priestly.

Sir,—At the request of our very worthy friend, Dr. Percival, I very readily contribute my endeavours towards relieving you from a painful uncertainty respecting Lord Shelburne. The gratitude that I in common with all lovers of science, owe you, makes this my duty. A long and intimate acquaintance enables me to speak with confi-

dence of Lord Shelburne's real character. With a strong understanding, and great desire for the acquisitions of useful knowledge, he has a mind turned to the enjoyment of private life, as well as to those high pursuits in the state which become his rank. His aims are noble, his means fair and honourable. Nor does he forget or neglect in the pursuits of a statesman, the duties of domestic life. His family is regulated with the most perfect order and decorum. His guests are as at home, nor does any man better know how to combine the dignity of the nobleman with the ease of a gentleman, and the familiarity of a friend. As a father and a husband, no man was ever more duteous, tender and attentive. I do assure you, sir, that I have not an idea of a more perfect state of conjugal happiness than that which subsisted between him, and the incomparable lady, who unhappily is now no more. Lord Shelburne has a great deal of good nature, and his behaviour has always a proper mixture of ease and dignity. I do not know one vice to which he is addicted, nor one virtue which he wants. In the country, what time he has to spare from his domestic concerns, to which he is ever strictly attentive, is employed in reading or directing the improvements of his grounds. In town, the duties of a statesman occupy him chiefly. Upon the whole sir, I may venture to assure you, as far as my judgment can direct me, that in Lord Shelburne you will be connected with an amiable and honest man, of a noble nature, and exemplary in all the duties of social life. How far it may be eligible in the terms of it I cannot presume to judge; but both from my regard for him and for you, I cannot help wishing it may take place.

I am, &c."

The removal of Lord Hillsborough from the Board of Trade, and the appointment of Lord Dartmouth to be secretary of state for the American department, had raised the expectations of the friends to America. His character was that of an amiable man, exemplary in his devotions. In fact he was religious *overmuch*, and even addicted to methodism. Such a disposition argued a weak

mind, or hypocritical heart. The subsequent conduct of this minister savoured of both. Neither his abilities nor his connexions promised much.

The policy of administration seemed now, to take the colonies one at a time, and to begin with Massachusetts, which they considered the strong hold of liberty in America. This mode was suggested by Sir Francis Bernard and Governor Hutchinson, and to them the execution was trusted. Some difficulties were to be smoothed by changing the charter mode of electing counsellors, and there was no doubt, that for this and other purposes the charter was to be altered. Knowing this, and the consequences of it, I was equally astonished and concerned to find that Dr. F—n had attempted to lull the province to sleep by assuring them they had nothing to fear on that subject. That he could be deceived as to the designs of administration, I could hardly believe. That he was bribed to betray his trust I had not suspected. It remained therefore, as the most probable conjecture, that he endeavoured to lull his constituents into security, that he might prevent any commotions which would hazard the lucrative posts he possessed. From whatever motive the deception sprang, the mischief of it was such as rendered a counteraction of it necessary. For that purpose, the following letter was written; but it was written in anger, and yet the experience I have had since would justify the worst interpretation of his conduct. [*Published in full, page 215 of this volume, under date of "TEMPLE, June 10th, 1771."*]

The state of things in 1772 I represented to Mr. Samuel Adams in my letter of Dec. 24. [*Published in full, page 224 of this volume.*]

The people of Boston, in town-meeting assembled, entered into a full declaration of their rights and grievances, and established a correspondence with the other town-meetings. Of this I received information in the following letter.

"BOSTON, Dec. 8th, 1772.

Sir,—In pursuance of a vote of the inhabitants of the town of Boston, at a legal meeting on the 20th November last, I have the honour by the direction of their committee to transmit to you the votes and proceedings of that day, and am, with great esteem, sir, your most humble servant,

Signed, WILLIAM COOPER, *Town Clerk.*
Arthur Lee, Esq."

To a wise administration such measures would have appeared to be the solid foundation of serious resistance to arbitrary measures. They would therefore have determined to remove the causes of discontent or to take effectual measures for carrying their plan into execution. They do not appear to have done either. Sir Francis Bernard, Governor Hutchinson and their adherents were suffered to continue irritating the people; and the troops stationed at Castle William gave an appearance of supporting these obnoxious measures with military force. These things had the effect which might have been expected, effects which were fully and repeatedly pointed out to the ministers long before they happened. The affairs of the East India Company being now the object with administration, I determined to join the opposition in that quarter, not only from a conviction of its being right, but with the hope of embarrassing their measures against America. A friend of mine qualified me as a proprietor. I soon got into a private committee of proprietors who met to consult upon the measures they should take. The Duke of Richmond and Lord Pigot, who was afterwards wickedly deprived of his government and murdered by some of the company's servants in the East Indies, were of this committee. His grace seemed to be an oppositionist more from having little else to do, than from clearly comprehending the object and grounds of his opposition. Lord Pigot appeared to be a sensible, candid and upright gentleman. In this committee the system of opposition in the court of proprietors was generally planned. The bills brought into parliament by Lord North for raising the qualification of

a voter in the company from £500 to £1000 of stock, and for appointing supervisors of — parliament in India with supreme powers independent of the company, were measures of serious alarm, not only to the proprietors, but to every one who considered the extension of the influence of the crown from an increase of patronage, already too great; as dangerous to the liberties of the people. The proprietary opposed in every step. They chose a special committee to watch over the measures of the minister and sustain their rights. I was elected into this committee. For some time we pursued the purpose of our appointment with ardour and apparent honesty. It was determined that two of the committee should speak at the bar of the house of commons against the bill for altering the qualifications. It was proposed to me to be one. My confidence I confess failed me. I doubted whether, being little conversant in public speaking, I should possess sufficient confidence in my own strength, to do justice to the subject or honour to myself. Doubting I declined. In this committee a circumstance happened of some singularity, and which served to show me of what stuff the majority of those composing it were made. Mr. Dempster, a member of the committee and of parliament, requested the advice and opinion of the committee relative to the answer he ought to give to Lord North, who had proposed to him an appointment as one of the supervisors in India, to be made by one of the bills we were intrusted to oppose. He stated his own doubts whether he could with honour accept the minister's offer, and therefore he had declined giving him an answer till he had consulted this committee; the rest of the members, two only excepted, gave their opinion for the acceptance. Gov. Johnstone and a Mr. Rous made set speeches, even urging him to the measure with warm and plausible speeches. The governor observed with much sagacity that we had now brought the opposition to the very point we should wish—that in not embracing the opportunity of getting one of our friends into so valuable and important a place would be very much wanting to ourselves; that such was the character of

the honourable gentleman and such the confidence he possessed, that no appointment would give more pleasure to our constituents and to the nation at large. I was of the contrary opinion, supported by one member only, a Mr. Chreton, who was afterwards chosen an alderman of London. I requested the gentleman to consider in deciding on the conduct proper for him to pursue, in what situation he stood. That he was there in triple trust; as a trustee of the people in parliament, as a proprietor, and as a member of a committee to whom the sacred rights of the company, violated by this very minister, were specially confided; that the acceptance of a place under a bill which he opposed and reprobated as a member of parliament, as a proprietor, and as one of their select committee, was manifestly incompatible with every claim to integrity and honour; that the true point of opposition was to defeat a bill calculated to wrest from the company their rights and vest them in the crown, already too powerful in patronage and influence; that the obvious view of the minister who made this offer was to disunite and disgrace the opposition. It was true the honourable gentleman enjoyed the highest confidence of the company; and so much more did it behove him not to wound that confidence; so much the more reproachful would it be to countenance such a bill and such a minister to betray a confidence so sacred, to take from the people all hope of integrity in those they trusted, and verify the profligate declaration of a profligate minister, that every man had his price; that much as I wished to see the honourable gentleman in high trust, I could not wish him to sacrifice for it his faith and honour. And though the gentleman was the best guardian of his own honour, yet I could not help giving my opinion that accepting the offer in question, circumstanced as he was, would fix upon his character indelible disgrace." Mr. Dempster thanked the members for the candour with which they had given their opinions; he said the sentiments of those who dissuaded his acceptance were so congenial with those of his own mind, that he should without delay inform Lord North that he could not ac-

cept his offer. The bills however passed in spite of us, the influence of the crown bearing down all opposition. On those proceedings of parliament I gave my sentiments to Mr. Samuel Adams of Boston, in the following letter.

"December 3, 1773.

Sir,—You ask me what political news. What can I say, but that we are undone? We are in the dead calm of corruption, which with more than Circean charm, fascinates every feeling of public virtue. If any thing can fix the enchantment beyond a possibility of dissolution, it is eastern wealth and eastern manners. Unhappy East, what a fate is thine! Doomed to be forever plundered by the west, with only the melancholy consideration of eventually undoing your plunderers. You minister poison in a cup of gold. Your fruit, like the apple of temptation, is precious to the sight, but poisonous in the taste; fair, but fatal! The East India regulating-bill has diverted the wealth of India into the direct channel for our destruction. For the future, the story of Lord Clive will be that of every military plunderer in the east; that of Ceyx of every civil extortioner. It begins in blood and plunder, it ends in servility and dependence. The wealth would be insecure under the crimes by which it was acquired, without ministerial influence and protection to cover them from enquiry, or screen them from punishment. In a few years, the two houses of parliament will be filled with Omrahs and Subbedars, nurtured in the corruption and despotism of the East. What will be the consequence? We must fall as Greece and Rome have fallen, in the same manner, and by the same means. In this prospect there is but one consolation. That liberty, when she abandons this country, will not, like Astræa, relinquish us forever; but will fix her favourite seat in the rising regions of America. There may she rest, and spread her happy influence, till time shall be no more. But if we too must lose her, when she ascends the skies, we shall at least have the prerogative of showing her last, her parting steps. Adieu, &c."

In the spring of 1774, I sat out with Mr. and Mrs. Izard to make the tour of France and Italy. But previous to my going I drew up a piece entitled, "A True State of the Proceedings in the Province of Massachusetts Bay," which has been attributed to Dr. Franklin because it was left with him, as agent to have it printed. The purpose of it was to remove the unjust and injurious impressions made by a report of a committee of the house of lords on the same subject. While at Paris I wrote "The Appeal to the Justice and Interests of the People of Great Britain," which I transmitted to my brother in London, who had it printed and published by Almon. This pamphlet went through five editions. One was printed by a vote of the town of New-Castle and distributed among the people. Another edition was also printed and distributed at the expense of the merchants in London trading to America. While we were at Rome we were acquainted with the Earl of Huntington and his nephew, who has since distinguished himself in America under the title of Lord Rawdon, and is certainly among the most promising officers in the British army. Mr. Izard and myself were too zealous not to encounter the British peer in defence of our country. He argued like a gentleman, but I thought not with much ingenuity. Lord Rawdon never disclosed his sentiments. I observed wherever I went, even in Italy, that all the papers and monthly productions contained every thing that was written in America on the subject of our dispute, and that the desire of enquiry into it pervaded all mankind. The opinion that her cause was just and the wish that she might succeed, seemed almost universal. The British name was clothed in Europe with terror and admiration. The able manner in which the Americans vindicated their constitutional rights, and the determined tone in which they declared their resolution of resisting Great Britain if she persisted, gave the Europeans a very exalted idea of their spirit and abilities. Intelligence from England informed us of a sudden dissolution of parliament. The meeting of the new one was a crisis in our affairs from which the anxiety of my mind would not

permit me to be absent. I therefore gave up my intention of wintering in Rome and Naples, and in November sat out post alone for London. The weather was most remarkably rigorous, and I travelled from Turin to Paris, and from Paris to London, through continued snow and ice.

The new parliament soon showed its complexion. Indeed it was not long kept secret, that the dissolution was a ministerial manœuvre, for the purpose of carrying on the war against America. The king's speech on opening this parliament was in fact a declaration of war. He told them that a most daring spirit of resistance and disobedience to the law, still unhappily prevailed in the province of Massachusetts Bay, and had in divers parts broke forth in fresh violences of a very criminal nature; that these proceedings had been countenanced and encouraged in other of his colonies, and unwarrantable attempts had been made to obstruct the commerce of this kingdom by unlawful combinations; that he had taken such measures and given such orders as he judged most proper and effectual for carrying into execution the laws which were passed in the last session of the late parliament for the protection and security of the commerce of his subjects, and for the restoring and preserving peace, order, and good government in the province of the Massachusetts Bay. The address of the commons corresponded with the spirit of the speech. Lord J. Cavendish moved as an amendment, to request that his majesty would be most graciously pleased to communicate the intelligence he had received from America to the house; this was negatived 264 to 73. The whole of the session was passed with an entire obsequiousness to the measures of the minister; and he and his royal master were in an evil hour armed with every power they desired for reducing America to *unconditional submission*. The reception of the petitions from America soon showed what use the king and his ministers meant to make of this parliamentary support. A petition arrived from the assembly of Delaware. I informed the secretary of state of having received such a petition, and my desire to pre-

sent it to him that it might be delivered to the king. He received it from me on ———, and on the 13th I received from him the following answer.

“Lord Dartmouth presents his compliments to Mr. Lee, and desires to see him on Monday next, at 10 o'clock.

April —, 1775.”

The issue of this conference is contained in the following letter to the speaker of the assembly.

“GARDEN COURT, MIDDLE TEMPLE, April 17, 1775.

Sir,—Your letter containing the petition from the house of representatives to the king, arrived here after Dr. Franklin had sailed for Philadelphia. The petition was therefore put into my hands to deliver to Lord Dartmouth. I accordingly gave it to his lordship, informing him of these circumstances, and of the wish of the house that it might be presented to his majesty. But his lordship returned it to me this morning, with a declaration that ~~as I~~ was not authorised by the house, he, as secretary of state, could not receive it from me for the purpose I desired. To deliver it to the king in the common way, if I were authorised so to do, would be ineffectual, because there is no certainty of his reading it, and he never gives an answer but from the throne, or through one of his secretaries of state. The petition will therefore remain here, to wait the further pleasure of the house. They who know and lament that petitions for redress of grievances from the different assemblies have been repeatedly rejected, cannot but be persuaded that the promise of their being now attended to, is only a ministerial manœuvre to divide the colonies, and draw off their attention to and confidence in that which is their great shield and defence—union in general congress. Your constitution was so framed as to mortify that hope. To divide and to destroy, or * * * * to fix this merciless tyranny upon us, is their only endeavour. But I trust in God that the wisdom and virtue of our country-

men will continue to render it ineffectual, and give us at length a happy issue out of all our troubles, by obtaining a full redress of grievances. I have the honour of being, &c.

Signed,

ARTHUR LEE.

James Rinsey, Esq. New Jersey."

The year 1774 was an eventful year, and brought the American question to a crisis. In its commencement the ministry appeared determined upon measures of the most decided irritation, and even hostility. This I intimated in a letter to the ever to be lamented Dr. Warren, who was immortalized by his conduct and death in the action of Bunker's Hill. My letter was as follows:

"FEBRUARY 20th, 1774.

Sir,—I am obliged to you for giving me an opportunity of thanking you for the efforts you have made in vindication of the just rights of America. Unless you substitute the intention for the act, you far overrate the merit of my services. The rights of my country are with me sacred. It is my first duty to maintain them. The cause of liberty is the cause of virtue.

"I own the glorious subject fires my breast;
And the soul's darling passion stands confest."

I not only lament the attempts which have been made and are making to enslave us, as productive of great misery to America, but as fraught with danger to this country. Revering as I do the very name of England, and loving most sincerely the people, it adds infinitely to the affliction of these proceedings that they must eventually operate the ruin of this country.* Whatever alienates the affections of the colonies, must impair if not destroy that commerce, which is the great source of the riches, the strength, the glory of Great Britain. There

* In the conjecture I made of the consequences that would follow measures, I was deceived, or rather mistaken. From this I must except the impracticability of reducing America, the resistance that would infallibly follow attempting it by force, the immense loss of men and expense that would attend it, and the independence of America. In these I was not mistaken; but in the effect which the non-importation would produce, the ruin of the credit and commerce of Great Britain, the diminution of her power, and the downfall of her empire, I was mistaken. A. L.

is at present a total stagnation of all public opposition here. Administration is therefore left at liberty to bend all their force against us. They seem eager to embrace the opportunity. The treatment of your petition, of Dr. Franklin, and of Mr. Temple, savour of the most malignant and persecuting disposition. In my opinion the active Americans here stand in daily peril of their lives. It will not indeed be an easy matter to destroy us by an English jury. But parliament is equal to any thing, and parliament is entirely under the direction of this, as you justly style it, all powerful administration. Either I am deceived, or times of great calamity and oppression are near. How they will end He only knows in whose hands are all the corners of the earth. In the mean time we have only to remember, that at every hazard we must be free. Adieu."

I shall give a summary of the proceedings on the petition mentioned in the above letter, which occasioned a duel and a very celebrated speech from Mr. Wedderburne, now Lord Loughborough.

Some letters written to a Mr. Whately by Governor Hutchinson and lieutenant-governor Andrew Oliver, were laid before the assembly of Massachusetts. In these letters the writers of them had calumniated the people, endeavoured to inflame those who should read them, against the province, and suggested measures calculated to prevent all popular opposition to ministerial measures. Upon these letters, which were original, and therefore could not be denied, the house of representatives voted a petition to the king for the removal of the governor and lieutenant-governor. This petition they transmitted to their agent, Dr. Franklin, to be presented to the throne. I received also the following letter from their speaker.

"PROVINCE MASSACHUSETTS BAY, JUNE 25, 1773.

Sir,—I have received the commands of the house of representatives of this province, to inform you that they have lately had divers letters, signed Thomas Hutchinson, Andrew Oliver, &c. laid before them, and that they have

voted as their sense, that the tendency and design of said letters appear to have been to overthrow the constitution of this government, and to introduce arbitrary power into this province. They have also agreed upon and passed an address to his majesty, praying that his excellency Thomas Hutchinson, governor, and the Hon. Andrew Oliver, lieutenant-governor of this province, may be removed from the posts they hold within the province, which they have directed Dr. Franklin to lay before his majesty, and have also directed him to employ you as council upon this occasion ; and as the persons aforementioned have by this their conduct rendered themselves very obnoxious to the people here, and have entirely lost their confidence, they doubt not you will employ your interest and influence to support the petition above mentioned, and do all in your power that it may have its desired effect.

I am with great respect your humble servant,
 THOMAS CUSHING, *Speaker.*

Arthur Lee, Esq."

As I was at this time only a student of law, I could not appear as counsel in support of the petition. But I addressed the following observations to Lord Dartmouth, under the signature of Raleigh.

" My Lord,—The report to be made upon the petition from the house of representatives of Massachusetts Bay against their governors, will have so decisive an influence on the people of that province, that I feel myself compelled to address your lordship on the subject. A discovery is made by letters under their own hands that the governor and lieutenant-governor had been secretly labouring to subvert the chartered rights of the colony ; to subject the people to arbitrary government ; and to subdue them by military force. It appeared that to accomplish these ends they had painted the proceedings of the people in the most false and odious colours, forging falsehoods where misrepresentations would not suffice. All this was done under the cloak of secret and confidential correspondence, that the mischief might come upon the

people unforeseen, the causes unknown, and the authors undiscovered. The people were to be the victims of a secret information; they were to be condemned without being heard; and punished with the heaviest of all calamities, the loss of their rights and liberties, without being apprized of the accusation or enjoying a possibility of defence. The persons who contrived this atrocious and (upon principle it cannot be deemed less) this treasonable conspiracy against the constitution, stipulated the expected rewards. It was natural that this discovery should exasperate the people to an extreme. They saw in the persons of those who were planning their destruction, men bound to them by all the ties of fellow citizens and the obligations of gratitude; men who had been long cherished and trusted among them, and who had always professed the most zealous attachment which virtue and gratitude could inspire to their rights and liberties. This was more especially the case of their chief governor, who was at that very time practising every art to fix in the minds of the people an exalted opinion of his warmest affection for them, and of his unremitting endeavours to promote their best interests at the court of Great Britain. They saw besides in one mode of their attempt against them something peculiarly malignant. The ministry were sufficiently disposed to adopt every severity against them. Governor Bernard and the commissioners were sufficient to keep up their prejudices and passion. To poison the minds of those in opposition, and by that means to deprive the people of every benefit either from the efforts of that opposition or from a change of administration. This my lord was the diabolical plan of Mr. Hutchinson and Mr. Oliver. Had the popular indignation been followed by the most immediate and tragical consequences no one could have been surprised. Happily however the very men whom these governors had aspersed as the sowers of sedition and promoters of outrage, prevailed upon them to trust to his majesty's justice for redress. For this purpose the house of representatives have, in an humble petition, implored his majesty's intervention to remove these men

because they have lost all trust and confidence with the people. It is to this prayer to which you are now to advise an answer. It is well worth considering my lord what will be the consequence of an ungracious, irritating answer. For some years past the people of America and those of Boston in particular, have been abused, misrepresented, and oppressed beyond the example of the worst of times. They have seen for a series of years every representation *against* them received; every application *for* them rejected. When the authors of the secret information which tended to bring upon them the displeasure of their sovereign, the resentment of parliament, and to subvert their liberties, were providentially discovered, and their representations proved false and wicked, the consequence has invariably been the encouragement and reward of those so detected. The discovery of Governor Bernard's false and malignant letters, with the frauds he committed in office, served only to make him a baronet, with what is equivalent to an enormous pension. Mr. Oliver was charged upon the oaths of several of his majesty's council and by their unanimous resolution, with a most dangerous breach of trust, in having forged minutes of their board and authenticated them on oath, for the purpose of justifying a massacre committed by a licentious soldiery, and to throw the blame of it on the people. What my lord was the consequence? Not *punishment*, but *promotion*. The people saw with astonishment and horror this very man, thus stigmatized, immediately promoted to be their lieutenant governor. These are facts my lord, of public notoriety; facts which, spoken to stones, would make them capable of hearing. Rewards have followed crimes, as constantly as light the sun. Promotion and emolument in America have been exactly proportioned to men's perfidy to the people, and their avowed enmity to their immediate country. No people can be so dull as not to feel those injuries; no people can be so pusillanimous *as not to resent them*. Reiterated oppressions, detections, complaints and disappointments, have worked up men's minds to the greatest degree of discontent. * * *

* * * [The rest here is lost.]

Dr. Franklin gave the Earl of Dartmouth information of it in a letter dated August 21st, 1773, in which the Dr. used this extraordinary expression, "And it is said that, having lately discovered, as they think, the authors of their grievances to be some of their own people; *their resentment against Great Britain is thence much abated.*" The resentment of a province against Great Britain, was a tone somewhat higher than is commonly assumed by even the mightiest monarch to the smallest state. There is not an instance I believe of the crown using such language to the most insignificant provincial assembly. The expression was at least not very guarded. But in fact, Dr. Franklin thought the ministry at his feet. He soon felt his mistake; the petition was heard before the privy council on the 29th of January 1774. In the mean time a question arose how these original letters came into the hands of those who laid them before the house of representatives. Mr. Whately, to whom they were written, was dead. When they were written he was member of parliament and very influential with Mr. George Grenville. His brother, who had the papers of the deceased, could give no other account of it, but that Mr. John Temple had leave from him to examine letters from his brother's American correspondents, from which he supposed that gentleman had taken the letters in question. This he charged him with in the public papers, confessing however that he did not know those identical letters were in the papers he intrusted to Mr. Temple's examination. This charge was circulated with the utmost industry and acrimony by Mr. Wedderburne and other ministerial agents. Mr. Temple determined to send Mr. Whately a challenge. Mr. Izard bore it, and offered to be his second. Mr. Whately accepted the meeting, but refused to have a second. Four o'clock, in the ring at Hyde Park was the appointment. Mr. Izard and myself went to the park in his carriage to attend the issue. On our way to the ring our attention was drawn to another quarter by the report of pistols. Thither we went and met Mr. Whately coming from the field of action, having received a slight wound in the

breast and one on the shoulder a little behind ; both with a sword. He made no charge to us of unfair play on the part of his antagonist. Mr. Izard offered his carriage to carry him home, which he accepted, and Mr. Izard accompanied him. I went in quest of Mr. Temple, and we walked together to Mr. Izard's house. He informed me that some persons being at the ring Mr. Whately and he agreed to go to a different part. Mr. Whately had a sword but no pistols. He lent him one of his, they fired without effect, and then appealed to the sword ; at which he found his antagonist so little skilled that his life was at his mercy ; that he wounded him slightly in order to make him beg his pardon. A whisper however was soon circulated that Mr. Temple had attempted to stab his opponent when down. To corroborate which, a declaration from Mr. Whately supported by the affidavits of an alehouse-keeper and some stable-boy were published, affirming that when Mr. Whately fell on his face the other stabbed him behind. As this business was in fact political and concerned America, I wrote a justification of Mr. Temple, in which I stated that Mr. Whately had accused him on mere suspicion ; that he refused to have seconds ; came without pistols ; made no charge against Mr. Temple when we met him, warm from the encounter, and most likely to have exclaimed against such treatment ; neither did those who had parted the combatants and were with him, say a word of it. That the slight wound on the shoulder, which gave countenance to this malignant charge, might well have happened from Mr. Temple being in the act of thrusting, when his opponent fell, and by that means unintentionally touching him on the shoulder. That it was an absurdity to suppose, that when it was acknowledged Mr. Temple could from his superior skill have wounded him fairly, he would attempt to do it foully. That the charge came with additional ill grace from one who had positively refused to have seconds, and who coming to the field without pistols seemed desirous to refer the dispute to the sword. I am inclined to think that the public was satisfied that this charge with its contemptible affidavits was fabricated by

Messrs. Wedderburne and Manduit, and had no real foundation. At the close of these proceedings Dr. Franklin came forward with the following address to the printers.

“Sirs,—Finding that two gentlemen have been unfortunately engaged in a duel about a transaction and its circumstances of which both of them are totally ignorant and innocent, I think it incumbent on me to declare (for the prevention of farther mischief, as far as such a declaration may contribute to prevent it,) that I alone am the person who obtained and transmitted to Boston the letters in question. Mr. W. could not communicate them, because they were never in his possession; and for the same reason they could not be taken from him by Mr. T. They were not of the nature of private letters between friends. They were written by public officers to persons in public stations, on public affairs, and intended to procure public measures. They were therefore handed to other public persons, who might be influenced by them to produce those measures. Their tendency was to incense the mother country against her colonies, and by the steps they recommended, to widen the breach they effected. The chief caution expressed with regard to privacy, was to keep their contents from the colony agents, who the writers apprehended might return them, or copies of them, to America. That apprehension was it seems well founded, for the first agent who laid his hands on them thought it his duty to transmit them to his constituents.

Craven Street, Dec. 25th, 1773.”

Mr. Wedderburne in his speech before the council was pointedly severe against this letter. “After the mischiefs, said he, of this concealment had been left for five months to have their full operation, at length comes out a letter which is expressive of the coolest and most deliberate malevolence. My lords, what poetic fiction only had penned for the breast of a cruel African, Dr. Franklin has realized and transcribed from his own. His too

is the language of Zanga. Know then 'twas I. I forged the letter—I disposed the picture—I hated—I despised—and I destroy.”

The greater part of his speech was a violent philippic against the Doctor. He was certainly eloquent and artful. Insomuch that notwithstanding the great decency and decorum that distinguish their lordships, he made them so far forget themselves and the character in which they officiated, as to cry out ‘hear him, hear him.’ There were present with the lord president other lords, among whom was the Archbishop of Canterbury. The decision was “that the petition should be dismissed as groundless, vexatious and scandalous, and calculated only for the seditious purpose of keeping up a spirit of clamour and discontent in the said province.”

In August Richard Penn arrived with a petition for the throne from the general congress of America, which that august body desired might be presented by him, and the agents for the several colonies. Mr. Bollan and myself were the only agents in town. Mr. Bollan, Dr. Franklin, and myself, were the only agents that would act. We presented the petition through Lord Dartmouth to the throne, and received an answer from that nobleman that his majesty had received it very graciously, and for its importance, would lay it before his two houses of parliament as soon as they should meet. The ministerial tone was now much softened, because the petition and address to the people were conceived in terms of such moderation and good sense, that they made a very favourable impression upon the public mind. I knew the king and his ministers too well to trust to their professions. I therefore thought it necessary to warn my countrymen against the delusion of these appearances. With this view I wrote to my brother R. H. Lee, who was a member of congress, the following letters,* which I knew he would communicate with effect.

The alarming procedure of the British king and parlia-

* The letters here spoken of, with a note containing the complimentary expressions of Lord Chatham on the subject of the address of congress, will be found in No. I. Appendix, amongst the “Letters of A. Lee.”

ment obliged the Americans to meet in general congress at Philadelphia, to consult on proper measures for the general safety. The congress agreed upon a petition to the king, stating their grievances, avowing their loyalty, and supplicating redress. This petition was transmitted with the following letter to the colonial agents in London.

“To Paul Wentworth, Esq., Dr. Benjamin Franklin, William Bollan, Esq., Dr. Arthur Lee, Thomas Life, Esq., Edmund Burke, Esq. and Charles Garth, Esq.

PHILADELPHIA, Oct. 26th, 1774.

Gentlemen,—We give you the strongest proof of our reliance on your zeal and attachment to the happiness of America and the cause of liberty, when we commit the enclosed paper to your care. We desire you will deliver it into the hands of his majesty; and after it has been presented, we wish it may be made public through the press, together with the list of grievances. As we hope for great assistance from the spirit and virtue of the nation, it is our earnest desire that the most effectual course be taken as early as possible to furnish the trading cities and manufacturing towns throughout the united kingdom with our memorial to the people of Great Britain. We doubt not but your good sense and discernment will lead you to avail yourselves of every assistance that may be devised from the advice and friendship of all great and good men, who may incline to aid the cause of liberty and mankind. The gratitude of America, expressed in the enclosed vote of thanks, we desire may be conveyed to the deserving objects of it in the manner you think may be most acceptable to them. It is proposed that another congress be held on the 10th of May next, at this place; but in the mean time we beg the favour of you gentlemen, to transmit to the speakers of the several assemblies the earliest information of the most authentic accounts you can collect, of all such conduct and designs of ministry or parliament as it may concern America to know.

We are, &c. &c.

Signed,

HENRY MIDDLETON, *Pres't.*”

The remainder of this commencement of a history of the American revolution, by Mr. Lee, has been lost. The author adds here a letter from Thomas Cushing to him, who presided as speaker of the assembly of Massachusetts during the years 1769, 1770, 1771, and 1772. It was written after Mr. Cushing's return from the first congress at Philadelphia. He had corresponded with Mr. Lee while he acted as agent in London of the colony of Massachusetts.

" BOSTON, Feb. —, 1775.

Dear Sir,—I am obliged to you for your favour of the 6th Dec. last. I heartily rejoice to hear you are safely arrived in London; we are much obliged to you for travelling night and day from Rome, in order to do what service you can at so important a crisis. The people in America are not at all dismayed at the king's speech; they wish for peace, and for an amicable and equitable settlement of this unhappy controversy; but if their hopes should be called off by the intemperate and violent conduct of the mother country, after the conciliatory offers that have been made by the continental congress, by which they have reduced the dispute to mere matter of speculation, and administration should determine to carry into execution the late acts of parliament by a military force, the people of America I am persuaded will make the last appeal. They are determined life and liberty shall go together. You need not be concerned; firmness and unanimity prevail through all the colonies, the association of the continental congress is sacredly adhered to, and I have just been informed that the merchants at New-York have obliged a vessel that arrived there from Scotland since the first of February, to return immediately without breaking bulk. Our people are prompt and forward in their military exercises. There never was since we have been a people such a military spirit prevailing as at present; but God forbid we should settle this dispute by arms. May the great Governor of the universe direct the councils of the nation, and lead them into such measures as may restore peace, harmony, and

happiness to both countries. I had the pleasure of seeing your brother, Col. Lee, at the congress at Philadelphia, and spending many an agreeable hour with him; he is a steady friend to his country, and an able defender of her rights. Pray let me hear from you by every opportunity, and advise me constantly of the designs of administration relative to America.

I am with great truth your sincere friend and humble servant,

THOMAS CUSHING.

Arthur Lee, Esq.

P. S. The terms of accommodation between Great Britain and the colonies, which you and I have joined in judgment in, and have heretofore thought reasonable, happen to be approved by all the leading men in America, as you will perceive by the resolutions of the continental congress.

T. C."

APPENDIX III.

"PARIS, June 7, 1779.

To his excellency Mon. le Comté d'Aranda.

Mr. Lee has the honour to present his respects to the Ambassador of Spain ; and to beg him to transmit to his Court the annexed memorial.

"PARIS, June 6, 1779.

To his excellency Count Florida Blanca, Prime Minister of Spain.

I have the honour of enclosing to your Excellency a memorial, which the opportunities I have had of knowing the temper and circumstances of Great Britain, make me presume to submit to your consideration. The earnest desire I have of rendering some service to Spain, and the common interest that must subsist in the success of the war, should it happen, are the motives, and I hope will be the apology, for what I offer.

I have the honour, &c.

ARTHUR LEE."

"PARIS, June 6, 1779.

Memorial to his excellency Count Florida Blanca.

The English having taken possession of Savannah, in Georgia, are extending themselves in that state, so as to form a connexion with and establish an influence over the Indian nations that border on all that country. They design also to possess themselves of Port Royal, in South Carolina, and if possible, of Charleston. These acquisitions, if they are suffered, with their contiguous possessions, will give them such a command upon that coast, and in the Gulf, as well as such means of exciting the savages, and seconding their enterprises against the neighbouring territories of Spain, as may be difficult to resist, if they are not prevented. What renders it impracticable for the Americans to repel the enemy, is their superiority at sea, which at the same time that it sup-

ports their posts on the land, enables them to make diversions in various quarters, so as to keep up a general alarm, and prevent our force from being united in any one point. With this view, they have very lately invaded the state of Virginia, in the bay of Chesapeake, to withhold the aid which that state would send to South Carolina and Georgia. In this situation, it is in his majesty's power to give very effectual assistance to the invaded states, and prevent the enemy from making such dangerous establishments and such an augmentation of their power. The naval force of the English in Georgia and South Carolina, will consist of a fifty gun ship, the *Experiment* lately sailed, and three frigates. In the bay of Chesapeake there are a sixty-four and forty-four gun ship, with some armed tenders. A small squadron therefore of three or four large ships and a few frigates, sent from the Havannah, would destroy the enemy's ships in Georgia, South Carolina and Chesapeake bay; and deliver their troops into the hands of the Americans.

The state of the enemy's fleets in Europe and the West Indies, will not permit them at present to augment their force on the coast of America. The squadron actually sailed, under Admiral Arbuthnot to New-York, consists of four ships of the line and one frigate; namely, the *Robust* 74, the *Russel* 74, the *Europe* 64, the *Alliance* 64, and the *Guadaloupe* 28. As this squadron must support the operations of their main army, and protect Halifax, Rhode Island and New-York, it is not probable they will detach any additional force from thence to the southward, so that their armaments there, if not withdrawn, must necessarily fall a sacrifice to a Spanish squadron."

"PARIS, December 16, 1779.

To his excellency Count Florida Blanca.

Sir,—You will have the goodness to permit my recalling to your consideration the facts I already had the honour of stating to you, relative to the plan of the common enemy, to establish themselves in Georgia and South Carolina, in order to carry on more effectually the

war against the possessions of Spain in America, and against the United States. I have the most undoubted intelligence that they are more and more determined on pursuing that plan. The good intentions of Count d'Estaing to drive them from Georgia having unfortunately failed, and the departure of the French fleet having left them again a decided superiority on our coast, must give them fresh encouragement to prosecute their enterprise, and will render the assistance of his Catholic Majesty's squadron at the Havannah absolutely necessary, to prevent its succeeding. Suffer me therefore to entreat most earnestly your excellency's attention to this, if other more near and important objects of the war should have hitherto diverted it."

"Sir,—I received in due time the two letters of the 7th and 25th of June, with which your honour favoured me, in both which you explain the situation of England, and the plan which you think the powers at war with that crown ought to pursue, joined with various observations relative to the situation of these united American provinces. I can assure you sir, that I have read with great pleasure and consideration, the wise and prudent reflections contained in those letters. I assure you I shall make a proper use of them. I embrace this opportunity of offering you my best services, and of assuring you of my prayer for the preservation of your life many years.

COUNT FLORIDA BLANCA.

Arthur Lee, Esq."

APPENDIX IV. (a)

Instructions to Benjamin Franklin, Silas Deane, and Arthur Lee, Commissioners appointed by the Congress of the United States of America to the Court of France.

“THERE is herewith delivered to you a plan of a treaty with his most Christian majesty of France, approved of in congress on the part of the United States of America.

It is the wish of congress that the treaty should be concluded, and you are hereby instructed to use every means in your power for concluding it conformably to the plan you have received. If you shall find that to be impracticably, you are hereby authorized to relax the demands of the United States, and to enlarge their offers, agreeably to the following directions. If his most Christian majesty shall not consent that the subjects, people, and inhabitants of the United States shall have the privileges proposed in the second article, then the United States ought not to give the subjects of his most Christian majesty the privileges proposed in the first article; but that the United States shall give to the subjects of his most Christian majesty the same privileges, liberties, and immunities, at least, and the like favour in all things, which any foreign nation the most favoured shall have, provided his most Christian majesty shall give to the subjects, people, and inhabitants of the United States the same benefits, privileges, and immunities, which any the most favoured foreign nation now has, uses, or enjoys. And in case neither of these propositions of equal advantages are agreed to, then the whole of the said articles are to be rejected, rather than obstruct the farther progress of the treaty. The third article must be insisted on. The sixth article ought to be obtained if possible, but should be waived rather than the treaty should be in-

interrupted by insisting upon it; his most Christian majesty agreeing nevertheless to use his interest and influence to procure passes from the states mentioned in this article, for the vessels of the subjects and inhabitants of the United States upon the Mediterranean. The seventh article will probably be attended with some difficulty. If you find his most Christian majesty determined not to agree to it, you are empowered to add to it as follows. That the United States will never be subject, or acknowledge allegiance or obedience to the king, or crown, or parliament of Great Britain, nor grant to that nation any exclusive trade, or any advantages or privileges in trade, more than his most Christian majesty; neither shall any treaty for terminating the present war between the king of Great Britain and the United States, or any war which may be declared by the king of Great Britain against his most Christian majesty, in consequence of this treaty, take effect until the expiration of six calendar months after the negotiation for that purpose shall have been duly notified, in the former instance by the United States to his most Christian majesty, and in the other instance by his most Christian majesty to the United States, to the end that both these parties may be included in the peace, if they think proper. The eleventh and twelfth articles are to be waived, if you find that the treaty will be interrupted by insisting on them. You will press the thirteenth article, but let not the fate of the treaty depend upon obtaining it. If his most Christian majesty should be unwilling to agree to the fifteenth and twenty-fifth articles, you are directed to consent that the goods and effects of enemies on board the ships and vessels of either party shall be liable to seizure and confiscation. The twenty-fourth article is not to be insisted on. You will solicit the court of France for an immediate supply of twenty or thirty thousand muskets and bayonets, and a large supply of ammunition and brass field pieces, to be sent under convoy by France. The United States engage for the payment of the arms, artillery, and ammunition, and to indemnify France for the expense of the convoy. Engage a few good engineers in the service of

the United States. It is highly probable that France means not to let the United States sink in the present contest ; but as the difficulty of obtaining true accounts of our condition may cause an opinion to be entertained that we are able to support the war on our own strength and resources longer than in fact we can do, it will be proper for you to press for the immediate and explicit declaration of France in our favour, upon a suggestion that a re-union with Great Britain may be the consequence of a delay.

Should Spain be disinclined to our cause from an apprehension of danger to her dominions in South America, you are empowered to give the strongest assurances that that crown will receive no molestation from the United States in the possession of those territories. You will transmit to us the most speedy and full intelligence of your progress in this business, and of any other European transaction that it may import us to know.

You are desired to get the best and earliest information that you possibly can of any negotiations that the court of London may be carrying on, for obtaining foreign mercenaries to be sent against these states the next campaign ; and if any such design is in agitation, you will endeavour to prevail with the court of France to exert its influence in the most effectual manner, to prevent the execution of such designs. You are desired to obtain as early as possible a public acknowledgment of the independency of these states on the crown and parliament of Great Britain, by the court of France. In conducting this important business the congress have the greatest confidence in your address, abilities, vigilance, and attachment to the interests of the United States, and wish you every success.

By order of congress,

JOHN HANCOCK, *President.*"

" In Congress, October 16th, 1776.

Additional instructions to Benjamin Franklin, Silas Deane, and Arthur Lee, Commissioners from the United States of America to the king of France.

Whilst you are negotiating the affair you are charged with at the court of France, you will have opportunities of conversing frequently with the ministers and agents of other European princes and states residing there.

You shall endeavour, when you find occasion fit and convenient, to obtain from them a recognition of our independency and sovereignty, and to conclude treaties of peace, amity, and commerce, between their princes or states and us; provided that the same be not inconsistent with the treaty you shall make with his most Christian majesty, that they do not oblige us to become a party in any war which may happen in consequence thereof, and that the immunities, exemptions, privileges, protection, defence, and advantages, or the contrary, thereby stipulated, be equal and reciprocal. If that cannot be effected, you shall to the utmost of your power prevent their taking part with Great Britain in the war which his Britannic majesty prosecutes against us, or entering into offensive alliances with that king, and protest and present remonstrances against the same, desiring the interposition, mediation, and good offices, on our behalf, of his most Christian majesty the king of France, and of any other princes or states whose dispositions are not hostile towards us. In case overtures be made to you by the ministers or agents of any European princes or states, for commercial treaties between them and us, you may conclude such treaties accordingly.

By order of congress,

JOHN HANCOCK, *President.*"

" In Congress, October 22d, 1776, *Resolved*, that the commissioners going to the court of France, be directed to procure from that court, at the expense of these United States, either by purchase or loan, eight line of battle ships, of 74 and 64 guns, well manned and fitted in every

respect for service ; that as these ships may be useful in proportion to the quickness with which they reach North America, the commissioners be directed to expedite this negotiation with all possible diligence.

JOHN HANCOCK, *President.*"

Letters of Instruction, &c. from the Committee of Foreign Affairs to the Commissioners in France, and from them to the Committee.

"BALTIMORE, MARYLAND, December 21, 1776.

Honourable Gentlemen,—After expressing our hopes that this will find you all three safely fixed at Paris, we proceed with pleasure to acknowledge the receipt of Mr. Deane's letter of the first of October. When we reflect on the character and views of the court of London, it ceases to be a wonder that the British ambassador and all other British agents should employ every means that tended to prevent European powers, but France more especially, from giving America aid in this war. Prospects of accommodation, it is well known, would effectually prevent foreign interference, and therefore without one serious design of accommodating on any principles but the absolute submission of America, the delusive idea of conciliation hath been industriously suggested on both sides the water, that under cover of this dividing and aid-withholding prospect, the vast British force sent to America might have the fairest chance of succeeding. And this policy hath in fact done considerable injury to the United States, as we shall presently show, by a just detail of this campaign, for it is not yet ended. You know, gentlemen, that at the moment a potent land and marine force was preparing to be sent here, an act was passed for appointing commissioners, whom too many expected were to give peace to America. As therefore the war might be soon concluded, so were our military arrangements accommodated, and the troops taken into service the last spring, consisting of regular corps and bodies of militia, were all engaged for short periods. With these the campaign begun in various parts of North America. Dr. Franklin is so well acquainted with the pro-

gress of the war in Canada, previous to his departure, that we need only observe the campaign has ended as favourably for us in that quarter, as we could reasonably expect. The enemy having been able to pierce no farther than Crown Point, after a short stay, and reconnoitering General Gates's army at Ticonderoga, thought proper to recross the lake, and leave us in quiet possession of these passes. General Gates having left a proper force at Ticonderoga, and on the communication, retired with the rest of his troops. New-York and its neighbourhood not being defensible by an army singly, against a strong land and sea force acting in conjunction, was of necessity yielded to the enemy, after some contest; General Washington retiring after the situation of the country above Kingsbridge no longer enabled the enemy to receive aid from their ships. General Howe having stopped here, and General Carleton at Crown Point, effectually disappointed the great object of joining the two armies. The latter, as we have said, returning to Canada, and the former retreating from the White Plains towards New-York, gave us a favourable prospect of seeing a happy end put to this dangerous campaign. However, many causes have concurred in producing an unlucky reverse of fortune; the nature of the country, the uncommon fineness of the weather even to this day, and above all the short enlistments, which gave the soldiery an opportunity of going home, tired as they were with the operations of an active summer. When General Howe retreated from the White Plains, he halted his whole army on the North River, between Dobb's Ferry and Kingsbridge, where he remained for some time. Having effected so little of the great business that brought him here, and the season allowing him time for it, most men were of opinion that the next attempt would be to get possession of Philadelphia by a march through the Jerseys, whilst a fleet should be sent up the Delaware to facilitate the enterprise. To guard against such a manœuvre, General Washington crossed the North River with all the battalions that had been raised to the westward of it, leaving General Lee, with the eastern troops,

to guard the pass of the high lands on Hudson River. In this situation of things, General Howe made a sudden attack on Fort Washington with the greatest part of his army, and carried it with a considerable loss: here he made near 3000 of our men prisoners. By this event it became unnecessary longer to hold Fort Lee, or Fort Constitution as it was formerly called, which is on the west side of the North River, nearly opposite to Fort Washington. It had therefore been determined to abandon Fort Lee, but before the stores could be all removed, the enemy came suddenly upon it, and the garrison retreated, leaving some of their baggage and stores behind. About this time General Howe became possessed of a letter, (by the agency of some wicked person, who contrived to get it from the express) written by General Washington to the Board of War, in which he had given an exact account when the time of service of all our battalions would expire, and his apprehensions that the men would not re-enlist, without first going home to see their families and friends. Possessed of this intelligence, the opportunity was carefully watched, and a vigorous impression actually made at the very crisis when our army in the Jerseys was reduced to 3000 men, by the retiring of numbers and the sickness of others, and before our militia could in this extensive country, be brought up to supply their places. The enemy marched rapidly on through the Jerseys, whilst our feeble army was obliged to retreat from post to post until it crossed the Delaware at Trenton where about 2500 militia from Philadelphia joined the general. Since General Howe's arrival on the border of the Delaware various manoeuvres and stratagems have been practised to effect a passage over the river, but they have hitherto failed. General Washington's small army is placed along the west side of Delaware, from Corroll's ferry to within fourteen miles of Philadelphia; with the gondolas and one frigate of 32 guns, and other armed vessels on the river above the *cheveaux de frise* over the passage of it. General Lee, who had crossed the North River with as many of

the eastern troops as could be spared from the defence of the high lands, (either to join Gen. Washington or to act on the enemies' rear, as occasion might point out) was the other day unfortunately surprised and made prisoner by a party of 70 light horse, who found him in a house a few miles in the rear of his army with his domestics only. This loss though great, will in some degree be repaired for the present by Gen. Gates, who we understand has joined the army commanded by Gen. Lee, and who we have reason to think has by this time effected a junction of his force with that of Gen. Washington. As the militia are marching from various quarters to reinforce the general, if the enemy do not quickly accomplish their wishes of possessing Philadelphia, we hope not only to have that city, but to see Gen. Howe retreat as fast as he advanced through the Jerseys. Gen. Clinton, with a fleet in which it is said he carried 8000 men, has gone from New-York through the Sound; some suppose for Rhode Island, but neither his destination nor its consequences are yet certainly known to us. Thus gentlemen we have given you a true detail of the progress and present state of our affairs, which, although not in so good a posture as they were two months ago, are by no means in so bad a way as the emissaries of the British court will undoubtedly represent them. If the great land and sea force with which we have been attacked, be compared with the feeble state which the commencement of this war found us with respect to military stores of all kinds, soldiers, clothing, navy and regular force, and if the infinite art be considered with which Great Britain hath endeavoured to prevent our getting these necessities from foreign parts, which has in part prevailed, the wonder will rather be that our enemies have made so little progress than that they have made so much. All views of accommodation with Great Britain, but on principles of peace as independent states, and in a manner perfectly consistent with the treaties our commissioners may make with foreign states, being totally at an end, since the declaration of independence and the embassy to the court of France, con-

gress have directed the raising 94 battalions of infantry with some cavalry. Thirteen frigates from 24 to 36 guns are already launched and fitting, and two ships of the line with five more frigates are ordered to be put on the stocks. We hear the levies are going on well in the different states. Until the new army is collected the militia must curb the enemies' progress. The very considerable force that Great Britain has already in North America, the possibility of recruiting it here within their own quarters, by force and fraud together, added to the reinforcements that may be sent from Europe, and the difficulty of finding funds in the present depressed state of American commerce, all conspire to prove incontestably, that if France desires to preclude the possibility of North America being ever reunited with Great Britain, now is the favourable moment for establishing the glory, strength, and commercial greatness of the former kingdom, by the ruin of her ancient rival. A decided part now taken by the court of Versailles, and a vigorous engagement in the war in union with North America, would with ease sacrifice the fleet and army of Great Britain, at this time chiefly collected about New-York.

The inevitable consequence would be the quick reduction of the British islands in the West Indies, already barred of defence by the removal of their troops to this continent. For reasons herein assigned, gentlemen, you will readily discern how all-important it is to the security of American independence that France should enter the war as soon as may be, and how necessary it is if it be possible, to procure from her the line-of-battle ships you were desired in your instructions to obtain for us, the speedy arrival of which here, in the present state of things, might decide the contest at one stroke. We shall pay proper attention to what Mr. Deane writes concerning Dr. Williamson and Mr. Hopkins, and we think the ill treatment this country and Mr. Deane have received from these men, strongly suggest the necessity of invincible reserve with persons coming to France as Americans and friends to America, whom the most irrefragable proofs have not removed all doubt about. The Bri-

tish recall of their Mediterranean passes, is an object of great consequence, and may require much intercession with the court of France to prevent the mischief that may be desired to American commerce therefrom. But this subject has been already touched upon in your instructions on the sixth article of the treaty proposed to be made with France. As all affairs relative to the conduct of commerce and remittance pass through another department, we beg leave to refer you to the secret committee and Mr. Thomas Morris their agent in France, for every information on these subjects. The neighbourhood of Philadelphia having by the enemies' movements become the seat of war, it was judged proper that congress should adjourn to this town, where the public business may be attended to with the undisturbed deliberation that its importance demands. The congress was accordingly opened here on the 20th inst. As it is more than probable that the conference with Lord Howe on Staten Island may be misrepresented to the injury of these states, we do ourselves the pleasure to enclose you an authenticated account of that whole business, which the possibility of Dr. Franklin's not arriving renders proper. This step was taken to unmask his lordship, and evince to the world that he did not possess powers, which for the purposes of delusive division, it had been suggested he did. Mr. Deane's proposition of a loan is accepted by congress, and they have desired two millions sterling to be obtained if possible. The necessity of keeping up the credit of our paper currency and the variety of important uses that may be made of this money, have induced congress to go so far as six per cent., but the interest is heavy, and it is hoped you may be able to do the business on much easier terms. The resolves of congress on this subject are enclosed and your earliest attention to them is desired, that we may know as soon as possible the event of this application. Another resolve of congress enclosed will show you that congress approve of armed vessels being fitted out by you on continental account, provided the court of France dislike not the measure; and blank commissions for this purpose will be

sent you by the next opportunity. Private ships of war or privateers cannot be admitted where you are, because the securities necessary in such cases to prevent irregular practices cannot be given by the owners and commanders of such privateers. Another resolve of congress which we have the honour to enclose you, directs the conduct to be pursued with regard to Portugal. We have nothing farther to add at present, but to request that you will omit no good opportunity of informing us how you succeed in your mission, what events take place in Europe by which these states may be affected, and that you forward us in regular succession some of the best London, French, and Dutch news-papers, with any valuable political publications that may concern North America.

We have the honour to be, gentlemen, with great respect and esteem your most obedient and very humble servants,

BENJ. HARRISON,
 RICHARD HENRY LEE,
 WILL. HOOPER,
 JNO. WITHERSPOON,
 ROBT. MORRIS, of Philad.

P. S.—The American captures of British vessels at sea have not been less numerous or less valuable than before Dr. Franklin left us. The value of these captures has been estimated at two millions.”

“BALTIMORE, 2d Feb. 1777.

Hon. Gentlemen,—You will receive enclosed copies of our letters of the 21st December, and of the resolves of congress accompanying them. It concerns us not less than we are sure it will you, that you should have heard so seldom from us, but the vigilance of the British cruisers has prevented our most earnest solicitude for this purpose. The manner in which they now conduct the business proves the necessity of the request made by congress for the loan or sale of a few capital ships. The entrance into Delaware and Chesapeake being narrow, by placing one 40 or 50 gun ship for the protection of their frigates, they both stop our commerce and our correspondence. Formerly their frigates protected their

traders, but now that we have frigates their larger ships protect their frigates; and this winter has been so uncommonly favourable that they have been able to keep the sea, undisturbed by those severe gales of wind so usual off this coast in the winter season. If we had a few line of battle ships to aid our frigates, the commerce of North America, so beneficial to ourselves and so advantageous to France, would be carried on maugre the opposition of Great Britain. As we have not received any of those military stores and clothing promised by Mr. Deane, we have much reason to fear they have fallen into the enemies' hands, which would render a fresh supply necessary. Except Mr. Deane's favour of September 17th, which is but just now received, and that of October the 1st, we have not heard from him since the summer, so that we have been as destitute of European as we have been of true American intelligence. The enclosed papers will furnish you with authentic accounts of our successes against our enemies since the 24th December. They have paid severely for their visit of parade through the Jerseys, and these events are an abundant proof of British folly in attempting to subdue North America. Although the short enlistments had dispersed our army directly in the face of a hostile force, and thereby induced a proud enemy to suppose their work was done, yet they suddenly found themselves attacked on all sides by a hardy active militia, who have constantly been beating up their quarters, captivating and destroying their troops, so that in the six or seven last weeks they have not looked much fewer than 3000; about 2000 of whom with many officers are now our prisoners. Instead of remaining cantoned in the pleasant villages of Jersey, as the enclosed authentic copy of Gen. Howe's order to Col. de Dourp (the original of which fell into our hands by the colonel's flight from Bordenton) will show you, that they are now collected upon the Brunswick Heights, where they suffer every kind of distress from want of forage, fuel, and other necessaries, whilst Gen. Washington's army of militia so environs them, that they never show their faces without their lines, but they

get beaten back with loss and disgrace. Being thus situated, we have reason to hope that this part of their army (and it is the most considerable part) will by the end of the winter be reduced very low by deaths, desertion, and captivity. Gen. Heath with a body of eastern troops, is making an impression on New-York by King's Bridge, which we understand has obliged the enemy to recall their troops from Rhode Island, for the defence of that city. The regular corps that are to compose the new army are making up in the several states as fast as possible; but arms, artillery, tent cloth, and clothing, will be greatly wanted. For these our reliance is on the favour and friendship of his most Christian majesty. If you are so fortunate as to obtain them, the propriety of sending them in a strong ship of war must be very evident to you gentlemen, when you know our coasts are so covered with British cruisers of from 20 to 50 guns, though but few of the latter. We believe they have but two ships of 40 and two or three of 50 guns in their whole fleet on the North American station; and these are employed, one of them to cover a frigate or two at the capes of each bay, whilst the rest remained at New-York.

We beg leave to turn your attention to the enclosed propositions of congress, and we doubt not you will urge their success with that zeal and careful assiduity that objects so necessary to the liberty and safety of your country demand.

We are exceedingly anxious to hear from you, and remain with particular sentiments of esteem and friendship honourable gentlemen, your most obedient and very humble servants,

BENJ. HARRISON,
RICHARD HENRY LEE,
JNO. WITHERSPOON."

"BALTIMORE, 9th January 1777.

Honourable Gentlemen,—Captain Hammond having been detained longer than we expected, furnishes us with an opportunity of giving you the information we have since our last received from the army, through a commit-

tee of congress left at Philadelphia; for we have yet no regular account from General Washington. On the second instant, General Washington having received information that the enemy were on their march to attack him at Trenton, ordered two brigades of militia to advance and annoy them on the road leading from Princeton to Trenton, who falling in with the enemy about three miles from the latter place, engaged them; but being overpowered by numbers, made a retreating fight, until they joined the main body, who were drawn up on the heights, west of a bridge that divides the village of Trenton nearly in two parts. The enemy attempting to force the bridge, were repulsed with loss by a body of men with artillery, placed there to receive them. In the mean time, some batteries being opened on the heights, soon drove the enemy from that part of the town possessed by them. Thus the affair ended for that evening. But General Washington having received intelligence that Gen. Howe was in person coming up to join his army with a strong re-inforcement, directed fires to be made on the heights to deceive the enemy, decamped at midnight, and made a forced march in order to meet Gen. Howe and give him battle before he joined his main body. About three miles short of Princeton, the van of our army fell in with 600 British infantry, strongly posted behind a fence, and upon a hill, with artillery. They were attacked, and after a smart engagement routed, having lost 280, killed and taken prisoners; among whom one colonel, one major, several captains and subalterns were slain, and about 20 officers made prisoners. The fugitives were pursued through Princeton, where our army halted a while. In this affair six pieces of artillery with abundance of baggage fell into our hands. At Princeton it was learnt that General Howe was not with this party, but that he remained at Brunswick with three or four thousand men. There being a considerable force in the rear, and our men being greatly fatigued with their march, and their baggage chiefly left behind, (it having been sent to Burlington) the general proceeded to Somerset court-house that evening, a little westward of the

road leading to Brunswick, and about seven or nine miles from that place. Here we understand he expected to be joined by a body of 1500 or 2000 fresh troops, and that his intention was to attack Gen. Howe in Brunswick. On Friday morning, when the enemy at Trenton missed our army, they returned towards Princeton; but it seems they left three thousand Hessians behind them, who following afterwards were so fatigued with travelling and want of food, that numbers were left on the road, and were straggling about the country in threes and fours. Many were taken by the country people and brought in prisoners; many came to Trenton and surrendered themselves. The militia of Jersey were rising generally, and it was thought few of these Hessians would get back again. This is the present state of our information, and we hourly expect a well authenticated account of the whole, and of much greater successes. We shall endeavour to give you the speediest account of what shall farther come to our knowledge from good authority.

The above relation is taken from a gentleman who was in the action, and who, the committee inform us is a gentleman of sense and honour. The general has been too much engaged to write, and we suppose waits the final issue. We most earnestly wish you success in your negotiations, and are with perfect esteem, honourable gentlemen, your most obedient and very humble servants.

BENJ. HARRISON,
RICHARD HENRY LEE.

In secret committee.

P. S. In the engagement near Princeton we lost fifteen privates, one colonel, and brigadier general Mercer, a very good officer and a worthy gentleman.

Passy, March 21, 1777. The above is a copy of the last letter. The preceding gives an account of the taking prisoners three battalions of Hessians at Trenton, December 26, of which I suppose you have already seen the particulars.

B. F."

"PHILADELPHIA, January 14, 1777.

Honourable Gentlemen,—I have the honour to enclose you herein a copy of two resolves of congress, passed the 19th and 29th November, by which the secret committee are directed to import two hundred and twenty-six brass cannon, and arms and equipage complete for three thousand horse.

You will observe they are also directed to confer with the cannon committee as to how many they can provide here of the field pieces ; but we pay little regard to that point, well knowing they will not be able to procure proper metal for many of them. Therefore I must request in the name and on behalf of the secret committee, that you will contract immediately for these necessary supplies, and send them out to these states by various conveyances, as quick as possible. Indeed I hope you may procure some line of battle ships to come out with them, and then there will be little danger of their coming safe. I most sincerely hope the court of France may be disposed to favour all our views. That they will accommodate you with sufficient loans to pay for these and all other stores we want from Europe, for although we have plenty of valuable produce, that would soon provide you with ample funds, if we could get it exported safely, yet the difficulties and impediments we meet with will render it impossible to get it away half fast enough. Nothing in our power shall be left undone, and Mr. Morris will be ordered to supply you with money as fast as he receives it from the net proceeds of our consignments.

I have the honour to be, with great esteem and regard, honourable gentlemen, your most obedient humble servant,

ROBERT MORRIS,

Chairman of the secret committee of Congress.

P. S. These resolves would have been sent long since, but our ports have been blocked up by the British men of war, and the confusion we were put in on the rapid march through the Jerseys and near approach to

this city by the enemy, has put it totally out of our power to forward any despatches for some time past.

(Third copy.)

R. M.

The Honourable Benj. Franklin, Silas Deane and Arthur Lee, Esquires, Commissioners, &c. Paris."

"In Committee on Foreign Affairs.

(Duplicate.)

YORKTOWN, PENN. Oct. 6th, 1777.

Honourable Gentlemen,—Since ours to you by return of the packet from New-Hampshire, and duplicates by Mr. McCreary from Maryland, we have not written: nor have we received any of your favours during the last two months, except a letter of old date, (April 29th) signed by Mr. Deane and Doctor Lee. Capt. Hammond being not yet arrived, although he sailed in April, it is too probable that he has either fallen into the hands of the enemy, or miscarried at sea. Two reasons have prevented us from writing hitherto; because from your assurances we had room to expect a monthly packet, and because the progressive state of the war gave us room to look daily for some more decisive event than had happened, and which might warrant the expense of a particular packet; as the casual conveyance by merchant vessels is almost entirely stopped by the number and vigilance of British cruisers.

We shall now give you an accurate detail of the war in the northern and middle departments, where alone it has raged since our last. You were before apprized of the evacuation of Ticonderoga, and the retreat of our army from thence towards Albany. Gen. Burgoyne was rapid in pursuit of his successes, and pressed quickly on as far as Fort Edward, near Hudson River, about twenty miles above Albany. Here his progress was interrupted by the American army, which halted and was reinforced a little below him. This circumstance with the following events have continued that interruption, and bid fair to render *abortive at least*, the great advantages expected by our enemies from their first successes on the lakes. The better to effect his purpose Gen. Burgoyne had detached Gen. St. Leger, with a body of regular troops,

Canadians and Indians, by the Oneida Lake and Wood Creek, to take Fort Schuyler, (formerly Stanwix) and to make an impression along Mohawk River. This part of the plan has been totally defeated by the bravery of Gen. Herkimer, with the Tryon County militia, and by the gallant defence of Fort Schuyler, by Col. Gansevort and Lt. Col. Willet. The former of these met the enemy in the field, defeated them, and killed a great number of their Indian allies. This defeat being obtained by militia, they dispersed as usual and left the enemy to collect and lay siege to Fort Schuyler, which was defended with great gallantry by the two officers above mentioned, until the approach of Gen. Arnold with a body of troops occasioned the enemy to raise the siege of that fortress, and to retreat with great precipitation, leaving their baggage, ammunition, provisions, and some artillery, which fell into our hands. Another body of troops was detached by Gen. Burgoyne, under command of Lieut. Col. Baum, to the eastward, for the purpose of collecting horses to mount the troopers, provisions and teams for the use of the army. This detachment was met, attacked, and defeated, by the brave Gen. Stark and the New-Hampshire militia, at a place called Bennington, now rendered famous by the total overthrow of 1500 regular troops, (posted behind works and fortified with cannon) by 2000 militia. The two wings of Gen. Burgoyne being thus cut off, his body remained inactive until the 19th of last month, when he moved on to attack Gen. Gates, who commands the northern army, and was well posted at the heights above Bekmus's. The consequence of this attack you will see related by Gen. Gates himself among the enclosed, as well as the account of our successes in the rear of the enemy on the lakes George and Champlain, by Col. Brown, who had been detached for the purpose by Gen. Lincoln, who is also in Gen. Burgoyne's rear with a strong body of troops. Our enemy being thus surrounded on all sides, with little prospect of safe retreat, and a strong army in front, growing stronger every day by reinforcements, we hope ere long to be able to give you information of definitive success over the British

army in that quarter. An aid of Gen. Gates, who brought these last accounts, tells us that by the concurring testimony of prisoners, deserters, and our own people who have escaped from the enemy, their loss could not be less than 1000 or 1200 men in killed, wounded, and missing; and that Gen. Burgoyne himself was wounded in the shoulder by a rifle ball.

In the middle department the war has been less favourable to us, as you will see by what follows. About the middle of August the British fleet appeared in Chesapeake Bay, and landed Gen. Howe's army at the head of Elk, about 50 miles from Philadelphia. Gen. Washington's army, which had crossed the Delaware on the embarkation of the British troops, and the appearance of the fleet off the capes of that river, now proceeded to meet the enemy, and came up with them near Wilmington. After various skirmishes and manœuvres, a general engagement took place at Chad's Ford over the Brandywine, on the 11th of Sept. last. This battle terminated in leaving the enemy in possession of the field, with nine pieces of our artillery. Our loss in killed, wounded, and missing, did not exceed 600; that of the enemy, as far as we have been able to receive information, was near 2000. An orderly book taken from them since the battle, makes it 1900. Gen. Washington retreated across the Schuylkill, and having refreshed his army, recrossed that river in two days after the former battle, with the design to attack the enemy, who had remained close by the field of action until he came up with them again. To be better prepared for battle, and to be guarded against the consequences of a defeat, our army marched without baggage, and left their tents behind. In this situation, and just in the moment of beginning an attack upon the enemy, a heavy, long continued, and cold rain, with high wind, came on, and prevented it. The ammunition in the cartridge-boxes was all rendered unfit for use, the arms were injured, and the troops a good deal hurt and dispirited. In these circumstances it became necessary to retire from before the enemy to a place of safety, in order to clean the arms, replace the cartridges, and refresh the

men. The enemy were also without tents ; but they have good blankets, are better clothed than our men, and have tin receptacles to keep dry their cartridges. Gen. Howe, judging of our situation, put his army in motion, and endeavoured to distress us by marches, counter-marches, and frequent shows of designing to give battle. After a variety of manœuvres, the enemy crossed Schuylkill below our troops, and marching to Philadelphia, have possessed themselves of that city.

Gen. Washington having rested and refreshed his troops, and being reinforced, is now moving towards the enemy. This unfavourable rain has injured our affairs considerably, by having thrown a number of our men into hospitals, and by the distress and embarrassment of our army consequent thereupon ; however, they are recovering again, and we hope ere long to give Gen. Howe reason to repent his possession of Philadelphia. The real injury to America from the loss of that city, is not so great as some are apt at first view to imagine, unless the report and misconception of this matter in Europe should too much dispirit our friends and inspirit our enemies.

But we rely on your careful and just representation of it, to prevent the ill impressions it may otherwise make. When this contest first began, we foresaw the probability of losing our great towns on the water, and so expressly told our enemies in the address of the first congress ; but we are blest with an extensive sea-coast, by which we can convey and receive benefits independent of any particular spot : and it is far from being clear to us that the enemy will be able to hold Philadelphia, as we are yet masters of the Delaware below, and have hopes of keeping it, so as to prevent the British fleet from getting up to the city. Should this be the case, Gen. Howe's visit cannot be of long duration.

You say that "the vessels of the United States will be received at the Havannah as those of France, the most favoured nation." We wish to be informed whether all North American products may be carried thither, or prizes taken to and disposed of in that port, or any other of

his Catholic majesty in America. You likewise mention a late draught of the Mississippi, taken for the government of Great Britain. We are desirous of being furnished with a copy. It is with pleasure we read your assurance of sending the soldiers clothing, and other articles for the army, in time to meet the approaching cold season. They will be greatly wanted. As the degree of success the enemy have met with this year will probably support the hopes of a vindictive court, and occasion the straining of every nerve for the accomplishment of its tyrannic views, we doubt not your most strenuous exertions to prevent Great Britain from obtaining Prussian or German auxiliaries for the next campaign; and we think with you that it is an object of great importance to cultivate and secure the friendship of his Prussian majesty, as well for preventing that evil, as for obtaining his public recognition of our independence, and leave of his ports for the purposes of commerce, and disposal of prizes. The original papers which you mention in a triplicate to have sent, never came to hand; so that we are able only to conjecture the disposition of that monarch. The marine force of the enemy is so considerable in these seas, and so over-proportionate to our infant navy, that it seems necessary and wise to send our ships to distress the commerce of our enemies in other parts of the world. For this purpose the marine committee have already ordered some vessels to France, under your direction as to their future operations, and we expect more will be sent. But our frigates are not capable of carrying much bulky commodity for commercial purposes, without unfitting them for war; besides, the consideration of our being obliged to get them away how and when we can, or endanger their being taken, prevents our sending them to those staple colonies, where the commodities wanted are to be obtained. The reciprocal benefits of commerce cannot flow from or to North America, until some maritime power in Europe will aid our cause with marine strength. And this circumstance gives us pain, lest it should be judged unwillingness on our part to pay our debts, when the truth is we have the greatest desire of

doing so, have materials in abundance, but not the power of conveying them.

This leads us to reflect on the great advantages that must unavoidably accrue to all parties, if France and Spain were to afford effectual aid on the sea by loan or sale of ships of war, according to the former propositions of congress; or if the Farmers General could be prevailed upon to receive in America, the tobacco or other products of this northern continent which France may want.

We are gentlemen, your very humble servants,

JNO. WITHERSPOON,

BENJ. HARRISON,

RICHARD HENRY LEE,

JAMES LOVELL,

THOMAS HEYWARD, JUN.

Hon. Messrs. Franklin, Deane, and Lee.

P. S.—Oct. 9th. On the 4th an engagement between the two armies took place near Germantown; the circumstances of which may be known by the enclosed papers numbered 6, 7, 8."

"In Committee for Foreign Affairs.

YORKTOWN, May 14th, 1778.

Sir,—Your several favours of Oct. 6th, Nov. 27th, and Dec. 8th, were delivered to us on the 2nd inst., the despatches by Mr. Deane and those by Capt. Young arriving the same day. We had before received your short letter of the 1st of June, but are yet without that of the 29th of July, in which you had informed us 'at large' of your proceedings in Prussia. Its contents would have proved highly agreeable to us in those months, when we were quite uninformed of the proceedings and prospects of your colleagues at Paris. Impressed with a sense of the value of the king of Prussia's "warmest wishes for our success," we give assurances of equal wishes in congress for that monarch's prosperity. We have little doubt of open testimonies of his majesty's friendship in consequence of the late decision of the king of France.

Your information in regard to our connexion with the fictitious house of Roderique, Hortales, and Co. is more

explicit than any we had before received ; but we farther expect that all mystery should be removed ; surely there cannot now be occasion for any, if there ever was for half that which is past.

Our commercial transactions will very speedily be put under the direction of a board, consisting of persons *not* members of congress ; it being impracticable for the same men to conduct the deliberative and executive business of the continent now, in its great increase. It has been next to impossible to make remittances for many months from the staple colonies, their coasts having been constantly infested by numerous and strong cruisers of the enemy. We hope the alliance of maritime powers with us will remove our embarrassment, and give us opportunity to carry into effect our hearty wishes to maintain the fairest commercial reputation.

There will be great impropriety in our making a different settlement for the supplies received from Spain from those received from France. We are greatly obliged to the friends who have exerted themselves for our relief, and we wish you to signify our gratitude upon every proper opportunity. But having promised to make remittances to the house of Hortales & Co. for the prime cost, charges, interest, and usual mercantile commission upon whatever is *justly* due to that house, we must keep the same line with Messrs. Gardoqui. On the one hand we would not willingly give disgust by slighting princely generosity, nor on the other submit to unnecessary obligations.

The unanimity with which congress has ratified the treaties with France, and the general glad acceptance of the alliance by the people of these states, must shock Great Britain, who seems to have thought that no cruelty from her would destroy our former great partiality in her favour. What plan she will adopt in consequence of her disappointment, time only can discover. But we shall aim to be in a posture either to negotiate honourable peace, or continue this just war.

We stand in need of the advice and assistance of all our friends in the matter of finance, as the quality of

our paper money, necessarily emitted, has produced a depreciation which will be ruinous, if not speedily checked. We have encouraging accounts of the temper of the Hollanders of late, and expect we may find relief from that quarter among others.

A few weeks, if not a few days, must produce fruitful subjects for another letter, when we shall, in our line of duty, renew our assurances of being with great regard, sir, your affectionate humble servants.

RICHARD HENRY LEE,
JAMES LOVELL,
ROBERT MORRIS."

"In congress, May 7th, 1778, *Resolved*, that the commissioners appointed for the courts of Spain, Tuscany, Vienna and Berlin, should live in such style and manner at their respective courts as they may find suitable and necessary to support the dignity of their public character, keeping an account of their expenses, which shall be reimbursed by the congress of the United States of America.

That besides the actual expenses of the commissioners, a handsome allowance be made to each of them as a compensation for his services.

That the commissioners at the other courts in Europe be empowered to draw bills of exchange, from time to time, for the amount of their expenses, upon the commissioners at the court of France.

May 9th, 1778. Whereas there are more captains in the navy than there are ships provided for them,

Ordered, that the committee for foreign affairs be directed to write to the commissioners of the United States at foreign courts, and inform them that congress expect they will not recommend any foreign sea officers, nor give any of them the least expectation of being employed as captains in the navy of the United States.

Extract from the minutes.

CHARLES THOMPSON, Jun."

"In Committee for Foreign Affairs.

YORKTOWN, May 14, 1778.

Our affairs have now a universally good appearance. Every thing at home and abroad seems verging towards a happy and permanent period. We are preparing for either war or peace ; for although we are fully persuaded that our enemies are wearied, beaten and in despair, yet we shall not presume too much on that belief, and the rather, as it is our fixed determination to admit no terms of peace but such as are fully in character with the dignity of independent states, and consistent with the spirit and intention of our alliances on the continent of Europe.

We believe, and with great reason too, that the honour and fortitude of America have been rendered suspicious by the arts, intrigues, and specious misrepresentations of our enemies. Every proceeding and policy of ours has been tortured to give some possible colouring to their assertions of a doubtful disposition in America, as to her final perseverance in maintaining her independence ; and perhaps the speeches of several of the ministry in both houses of the British parliament, who seem to persist in the possibility of a reconciliation, might contribute towards that suspicion. We at this time feel ourselves exceedingly happy in being able to show, from the accidental arrangement of circumstances, such as we could have neither the policy to foresee, nor power to alter, that the disposition of America on that head was fixed and final. For a proof of which we desire your attention to the following.

The English ministry appear to have been very industrious in getting their two conciliatory bills (even before they had been read once) over to America, as soon as possible, the reason of which haste we did not then foresee ; but the arrival of your despatches since, with the treaties, have unriddled the affair. General Howe was equally industrious in circulating them by his emissaries, through the country. Mr. Tryon at New-York did the same, and both these gentlemen sent them, under sanction of a flag, to General Washington, who immedi-

ately sent the first he received to congress. Mr. Tryon's letter, which covered them, and General Washington's answer thereto, you will find in Hall's & Sellers' Gazette, printed at Yorktown 2d May.

Those bills are truly unworthy the attention of any body ; but lest the silence of congress should be misunderstood or furnish the enemy with new ground for false insinuation, they were instantly referred to a committee of congress, whose judicious and spirited report was unanimously approved by the house April 22d, and published and circulated through the several states with all possible expedition.

The despatches in charge of Mr. Deane did not arrive till the second of May, ten days after the reports were published ; and his expedition in bringing the despatches to congress prevented any intelligence arriving before him. Enclosed are the reports referred to, to which we recommend your attention in making them as public as possible in Europe, prefacing them with such an explanatory detail of circumstances as shall have a tendency to place the politics of America on the firm basis of national honour, integrity and fortitude.

We admire the true wisdom and dignity of the court of France in her part of the construction and ratification of those treaties ; they have a powerful and effectual tendency to dissolve that narrowness of mind, which mankind have been too unhappily bred up in. In those treaties, we see the politician founded on the philosopher, and harmony of affection made the ground-work of mutual interest. France, by her open candour, has *won* us more powerfully than any reserved treaties could possibly *bind* us, and at a happy juncture of times and circumstances, laid the seeds of an eternal friendship.

It is from an anxiety of preserving inviolate this cordial union, so happily begun, that we desire your attention to the eleventh and twelfth articles of the treaties of amity and commerce. The unreserved confidence of congress in the good disposition of the court of France will sufficiently appear by their having unanimously ratified those treaties, and then trusted any alteration or amendment to

mutual concession afterwards. We are apprehensive that the general and extensive tenour of the twelfth article may in future be misunderstood, or rendered inconvenient or impracticable; and in the end become detrimental to that friendship we wish ever to exist. To prevent which, you will herewith receive instructions and authority for giving up on our part the whole of the eleventh article, proposing it as a condition to the court of France, that they on their part give up the whole of the twelfth article, those two being intended as reciprocal balances to each other.

It is exceedingly distressing to congress to hear of misconduct in any of the commanders of armed vessels under the American flag. Every authentic information you can give on this head will be strictly attended to, and every means taken to punish the offenders, and make reparation to the sufferers. The chief consolation we find in this disagreeable business, is that the most experienced states have not always been able to restrain the vices and irregularities of individuals. Congress has published a proclamation for the more effectually suppressing and punishing such practices; but we are rather inclined to hope, that as the line of connexion and friendship is now clearly marked, and the minds of the seamen relieved thereby from that unexplainable mystery respecting their real prizes, which before embarrassed them, that such irregularities will be less frequent, or totally cease, to which end the magnificent generosity of the court of France to the owners of the prizes, which for "reasons of state" had been given up, will happily contribute. We are gentlemen, your obedient humble servants.

RICHARD HENRY LEE,
JAMES LOVELL.

The Honourable Commissioners at Paris."

"In Committee for Foreign Affairs.

YORKTOWN, May 15, 1778.

Gentlemen,—Your pressing request for 5000 hhds. of tobacco, is a matter as embarrassing to congress as to

yourselves. Their anxiety to get it to you is as great as yours to receive it. We have already lost considerable quantities in the attempt ; and thereby furnished our enemies gratis with what was designed to discharge your contracts with, and promote the interests and commerce of our friends. We request your particular attention to this information. It is a matter of the highest moment to our allies as well as to ourselves. In the present state of things, it is very probable that England will not interrupt the trade of France in her own bottoms, and our desire is, as well for her benefit as ours, that France would open the trade from her own ports, so that the intentional advantages of the treaties may fully operate to both countries. We need not enlarge on this head, as your own discernment and judgment will furnish you with all the reasons necessary therefor.

In addition to what is mentioned in our letter No. —, respecting the 11th and 12th articles, we observe, that the 12th is capable of an interpretation and misuse, which was probably not thought of at the time of constructing it, which is, that it opens a door for all or a great part of the trade of America to be carried through the French islands to Europe, and puts all future regulations out of our power, either of imposts or prohibitions, which, though we might never find it our interest to use, yet it is the keeping those in our power, that may hereafter enable us to preserve equality with, and regulate the imposts of the countries we trade with. The general trade of France is not under the like restriction ; every article on our part being staked against the single article of molasses on theirs. Therefore congress thinks it more liberal and consistent that both articles should be expanded.

We have no material military transaction to acquaint you with. The enemy yet remain in Philadelphia, but some late movements make it probable they will not stay long. Our army is yet at the Valley Forge. The enemy through the course of the winter have carried on a low, pitiful, and disgraceful kind of war against individuals, whom they have picked up by sending out little par-

ties for that purpose, and revengefully burning several of their houses. Yet all this militates against themselves, by keeping up an inflammable indignity in the country towards them; and on the whole we know not which most to wonder at, their folly in making us hate them after their inability for conquest and desire of peace are confessed, or their scandalous barbarity in expressing their resentments.

You will see gentlemen, by the contract which the commercial committee has signed with the agent of Mr. Beaumarchais, that congress was desirous of keeping a middle course, so as not to appear to slight any determined generosity of the French court, and at the same time to show a promptness to discharge honourably the debts which may be justly charged against these states by any persons. We depend upon you to explain the affair fully, as you seem to make a distinction between the military stores and the other invoices, while no such distinction appears in the letters of Mr. Deane and Mr. Beaumarchais. In short we are rather more undetermined by your late despatches than we were by your long silence.

Congress being at this time deeply engaged in a variety of pressing business, and the foreign committee thin of members, you will be pleased to excuse us from being more particular in our answer to your several despatches, as well as in our information of the state of our affairs.

We are gentlemen your very humble servants,
 RICHARD HENRY LEE,
 JAMES LOVELL.

To the Commissioners at Paris.

P. S. You will see what we have written to Mr. Dumas, and you will point out to us what will be our line of honour to him and justice to these states."

"In Committee for Foreign Affairs.

YORKTOWN, PENN. JUNE 21, 1778.

Gentlemen,—The British commissioners have arrived and transmitted their powers and propositions to congress,

which have received the answer you will see in the Pennsylvania Gazette of the 20th instant.

On the 18th of this month Gen. Clinton, with the British army (now under his command) abandoned Philadelphia, and the city is in possession of our troops. The enemy crossed into Jersey, but whether with design to push for Amboy, or to embark below Bordentown on the Delaware, is yet uncertain. Gen. Washington has put his army in motion, and is following the enemy into Jersey.

There has arrived here a Mr. Holker from France, who has presented a paper to congress declaring that he comes with a verbal message to congress from the minister of France, touching our treating with Great Britain, and some other particulars, which for want of his paper we cannot at present enumerate. The style of his paper is, as from the representative of the court, but he has no authentic voucher of his mission for the delivery of this verbal message. We desire of you gentlemen to give us the most exact information in your power concerning the authenticity of Mr. Holker's mission for this purpose.

We are gentlemen, with esteem and regard, your most obedient and very humble servants,

Signed,

RICHARD HENRY LEE,
THOS. HEYWARD, jr.
JAMES LOVELL."

"PHILADELPHIA, July 16th, 1779.

Sir,—Two days ago several of your letters came to hand, the latest being of April 6th. It is much to be regretted that this one in particular did not earlier arrive.

One copy of its contents was sent immediately to Gen. Washington, and another to Governor Trumbull, but alas, too late! Fairfield had been destroyed by the fire of the enemy. We are mistaken however if that enemy does not find the unprofitableness of this kind of warfare towards their main purpose. America must be dead indeed to all proper spirit, if such doings will not render

her both vigilant and active as in the beginning of the contest.

It is matter of much conjecture why you have not been able for some months back to give us interesting accounts from Spain; all we know is through Mr. Gerard.

We have sent so many sets of the journals of congress that you will doubtless get one. They are chiefly directed to Dr. Franklin. You will find the parts in which you are personally interested to be under the following dates. April 6, 15, 20, 21, 22, 26, 28, 30; May 3, 22, 24, 25, 27; June 8.

We shall speedily write again. In the mean time be assured that we are with much regard sir, your humble servants,

JAMES LOVELL,

For the committee.

Hon. Arthur Lee, Esq."

"PARIS, Feb. 6th, 1777.

Gentlemen,—Since our last, a copy of which is enclosed, Mr. Hodge arrived here from Martinique, and has brought safely the papers he was charged with. He had a long passage and was near being starved. We are about to employ him in a service pointed out by you at Dunkirk or Flushing. He has delivered us three sets of the papers we wanted. But we shall want more, and beg you will not fail to send them by several opportunities.

A private company has been just formed here for the importation of tobacco, who have made such proposals to the Farmers General as induced them to suspend the signing of their agreement with us, though the terms had been settled and the writings drawn. It seems now uncertain whether it will be revived or not. The company have offered to export such goods as we should advise, and we have given them a list of those most wanted. But so changeable are minds here, on occasion of news good or bad, that one cannot be sure that even this company will proceed. With an universal good will to our cause and country apparent in all com-

panies, there is mixed an universal apprehension that we shall be reduced to submission, which often chills the purpose of serving us.

The want of intelligence from America and the impossibility of contradicting by that means the false news spread here and all over Europe by the enemy, has a bad effect on the minds of many who would adventure in trade to our ports, as well as on the conduct of the several governments of Europe. It is now more than three months since our B. F. left Philadelphia, and we have not received a single letter of later date, Mr. Hodge having left that place before him. We are about purchasing some cutters, to be employed as packets. In the first we despatch we shall write more particularly concerning our proceedings here than by these merchant ships we can venture to do; for the orders given to sink letters are not well executed. One of our vessels was lately carried into Gibraltar, being taken by an English man-of-war, and we hear there were letters for us which the captain, just as he was boarded, threw out of the cabin window, which floating on the water were taken up; and a sloop despatched with them to London. We also just now hear from London through the ministry here, that another of our ships is carried into Bristol by the crew, who consisted of eight American seamen with eight English; four of the Americans being sick, the other four were overpowered by the eight English, and carried in as aforesaid; the letters were despatched to court.

From London they write to us that a body of 10,000 men, chiefly Germans, are to go out this spring, under the command of Gen. Burgoyne for the invasion of Virginia and Maryland. The opinion of this court founded on their advices from Germany, is that such a number can by no means be obtained. But you will be on your guard. The Amphitrite and the Seine from Havre, and the Mercury from Nantes are all now at sea, laden with arms, ammunition, brass field-pieces, and stores, clothing, canvass, &c., which if they safely arrive, will put you in

a much better condition for the next campaign than you were the last. Some excellent engineers and officers of artillery will also be with you pretty early. Also some few for the cavalry ; officers of infantry of all ranks have offered themselves without number. It is quite a business to receive their applications and refuse them. Many have gone over at their own expense, contrary to our advice ; to some few of those who were well recommended, we have given letters of introduction.

The conduct of our general in avoiding a decisive action, is much applauded by the military people here, particularly Marshals Maillebois, Broglio, and d'Arcy. M. Maillebois has taken the pains to write his sentiments of some particulars useful in carrying on our war, which we send enclosed. But that which makes the greatest impression in our favour here is the prodigious success of our armed ships and privateers. The damage we have done their West India trade has been estimated in a representation to Lord Sandwich by the merchants of London at £1,800,000 sterling, which has raised insurance to 28 per cent., being higher than at any time in the last war with France and Spain. This mode of exerting our force against them should be pushed with vigour. It is that in which we can most sensibly hurt them. And to secure a continuance of it we think one or two of the engineers we send over may be usefully employed in making some of our ports impregnable. As we are well informed that a number of cutters are building to cruise in the West Indies against our small privateers it may not be amiss, we think, to send your larger vessels thither, and ply in other quarters with the small ones.

A fresh misunderstanding between the Turks and Russia is likely to give so much employment to the troops of the latter, as that England can hardly expect to obtain any of them. Her malice against us, is however so high at present that she would stick at no expense to gratify it. The New-England colonies are according to our best information destined to destruction,

and the rest to slavery under a military government. But the Governor of the world sets bounds to the rage of men as well as to that of the ocean.

Finding that our residence here together is nearly as expensive as if we were separate; and having reason to believe that one of us might be useful in Madrid, and another in Holland, and some courts further northward, we have agreed that Mr. Lee go to Spain, and either Mr. Deane or myself to the Hague. Mr. Lee sets out tomorrow, having obtained passports and a letter from the Spanish ambassador here to the minister there. The journey to Holland will not take place so soon. The particular purposes of these journeys we cannot prudently now explain.

It is proper we should acquaint you with the behaviour of one Nicholas Davis, who came to us here pretending to have served as an officer in India, to be originally from Boston, and desirous of returning to act in defence of his country, but through the loss of some effects coming to him from Jamaica, and taken by our privateers, unable to defray the expense of his passage. We furnished him with thirty louis, which was fully sufficient; but at Havre just before he sailed, he took the liberty of drawing on us for near forty more, which we have been obliged to pay. As in order to obtain that credit he was guilty of several falsehoods, we now doubt his ever having been an officer at all. We send his note and draught, and hope you will take proper care of him. He says his father was a clergyman in Jamaica. He went in the Seine and took charge of two blankets for M. Morris.

We hope your union continues firm, and the courage of our countrymen unabated. England begins to be very jealous of this court, and we think with some reason.

We have the honour to be with sincere esteem gentlemen,

BENJAMIN FRANKLIN,

SILAS DEANE,

ARTHUR LEE.

The Hon'ble the Secret Committee.

True copy, examined.

W. T. FRANKLIN."

"PARIS, April 28th, 1777.

Gentlemen,—We wrote to you pretty fully on the state of affairs here in ours of the 12th of March and 19th of this month, since which there has been little alteration. There is yet no certainty of a sudden declaration of war, but the preparations go on vigorously both here and in Spain, the armies of France drawing towards the sea coasts, and those of Spain to the frontiers of Portugal, and their fleets fitting in the ports ; but the court still gives assurances of peace to the British ambassador, the nation in general all the while calling out for war.

We have received the resolution of congress of Feb. 5th for sending over a great quantity of clothing upon the credit of the states, in case we cannot borrow money of the government to pay for them. We wrote before that the loan proposed was at present impracticable ; and we have not yet received the credit we expected from Spain ; the arms we have bought, ships building, and the brass cannon ordered will demand great sums ; but as we shall receive a payment from the Farmers General next month, and hope you will be very diligent in sending remittances, we shall go as far upon our credit as it can carry us, in sending the clothing required. Flints sufficient we apprehend are already gone.

We have according to orders, notified the several courts of the intention of congress to send ministers to them ; and delivered a remonstrance to the Portuguese ambassador concerning the proceeding of that court. As the minister for Prussia may not soon arrive, and that court has shown a disposition to treat, by entering into a correspondence with us, we have thought it might be well that one of us should visit it immediately to improve its present good dispositions, and obtain if possible, the privilege of their ports to trade and fit ships in and to sell our prizes. Mr. Lee has readily undertaken this journey, and will soon set out for Berlin with Mr. Carmichael, who has already been there and paved the way, and

whom we recommend to congress as a faithful, serviceable man that ought to be encouraged.

We have the honour to be, &c.

BENJAMIN FRANKLIN,
SILAS DEANE,
ARTHUR LEE.

To the Hon'ble the Secret Committee."

Dr. Franklin believes there was some addition made to this letter before it was sent, but is not certain.

W. T. F.

"PASSY, near PARIS, Sept. 8th, 1777.

Gentlemen,—It is long since we had a line from you, the last received being of the date of ———. We suppose the same causes have occasioned your hearing so seldom from us; the difficulty of finding safe conveyances, and sometimes the loss of the despatches by the way.

Mr. Lee informs you, we suppose, of his negotiations in Prussia, and of his safe return hither. There appears in that, as well as in every other country in Europe a disposition to share in our commerce and to oblige us, as far as may be done without offending England. We have numbers of letters from eminent houses there, proposing to furnish us with a variety of commodities at reasonable rates, to be received by us in Europe and paid for here. We advise them to send their goods in their own ships, and protect their own trade to and from our coasts.

We enclose you a copy of the memorial we sent to Portugal, to which we have yet received no answer. That court has been lately much employed in adjusting its differences with Spain, which it is said are now nearly all accommodated, and that they will accede to the family compact.

This court continues the same conduct that it has held ever since our arrival. It professes to England a resolution to observe all treaties, and proves it by restoring prizes too openly brought into their ports; imprisoning such persons as are found to be concerned in fitting out

armed vessels against England from France ; warning frequently those from America to depart, and repeating orders against the exportation of warlike stores. To us it privately professes a real friendship, wishes success to our cause, winks at the supplies we obtain here as much as it can, without giving open grounds of complaint to England, privately affords us very essential aids, and goes on preparing for war. How long these two parts will continue to be acted at the same time, and which will finally predominate, may be a question. As it is the true interest of France to prevent our being re-annexed to Britain, that the British power may be diminished, and the French commerce augmented, we are inclined to believe the sincerity is towards us ; more especially as the universal bent of the nation is manifestly in our favour. Their not having yet commenced a war, is accounted for by various reasons : the treaties subsisting among the powers of Europe, by which they are obliged to aid those attacked more than those attacking, which it is supposed will make some difference ; the not being fully prepared ; the absence of their seamen in the fishery and West Indies ; and the treasure expected from New Spain, with the sugars from the islands, have all, it is said, hitherto contributed to restrain the national desire of a breach with England, in which her troublesome power may be reduced, the wealth and strength of France increased, and some satisfaction obtained for the injuries received in the unfair commencement of the last war. England too is extremely exasperated at the sight of her lost commerce enjoyed by France, the favour our armed vessels have met with here, and the distress of their remaining trade by our cruisers, even on their own coasts ; and yet she seems afraid of beginning a war with this country and Spain together, while she has our war upon her hands. In such a situation, some accident may probably bring on a war sooner than desired by either party. In the mean time, perhaps the delay may have this good effect for us, that enjoying the whole harvest of plunder upon the British commerce, which otherwise France and Spain would divide with us, our infant naval

power finds such plentiful nourishment as has increased and must increase its growth and strength most marvelously.

It gave us great joy to hear of the arrival of the *Mercury*, *Amphitrite*, and other vessels carrying supplies. Another ship with a similar cargo, which had long been detained at Marseilles, we hope will soon arrive with you. We hope also that you will receive between twenty and thirty thousand suits of clothes before winter, and from time to time quantities of new and good arms, which we are purchasing in different parts of Europe. But we must desire you to remember that we are, thus far, disappointed in your promises of remittance, either by the difficulties you find in shipping, or by captures, and that though far short of completing your orders, we are in danger of being greatly embarrassed by debts, of failing in performance of our contracts, and losing our credit, with that of the congress. For though we have received three quarterly payments of the two millions of livres formerly mentioned to you, and expect the last next month, our contracts go beyond; and we must reserve the continuance of that aid for the purpose it was promised, to answer your draughts for interest, if that proposal of ours has been adopted. Particularly we beg you will attend to the affair of tobacco for the Farmers General, with whom we have contracted to supply 5000 hogsheads, for which they have advanced us one million livres in ready money, and are to pay the rest on delivery, as we formerly advised you. Your vigorous exertions in these matters are the more necessary, as during the apparent or supposed uncertainty of our affairs, the loan we were directed to obtain of two millions sterling, has hitherto been judged impracticable. But if the present campaign should end favourably for us, perhaps we may be able to accomplish it another year, as some jealousy begins to be entertained of the English funds by the Dutch and other moneyed people of Europe, to the increase of which jealousy we hope a paper we have drawn up (a copy whereof we enclose) may in some degree contribute, when made public.

Mr. Deane has written fully to you on the effect our cruisers have had on the coast and commerce of Britain, which makes our saying much on that head unnecessary. We cannot, however, omit this opportunity of expressing our satisfaction in the conduct of the captains, and of recommending them warmly to the congress. The ostensible letter and answer from and to the minister for foreign affairs, copies of which we enclose, will show the conduct which the court has thought and thinks itself at present obliged to hold with regard to our cruisers and their prizes, of which it seems fit some notice should be given to the several states.

As the English goods cannot in foreign markets face those of the French or Dutch, loaded as they are with the high ensurance from which their competitors are exempted ; it is certain the trade of Britain must diminish while she is at war with us, and the rest of Europe at peace. To evade this mischief, she now begins to make use of French bottoms ; but as we have yet no treaty with France, or any other power that gives to free ships the privilege of making free goods, we may weaken that project by taking the goods of our enemy wherever we find them, paying the freight. And it is imagined that the captains of the vessels so freighted, may by a little encouragement be prevailed on to facilitate the necessary discovery.

Spain not having yet resolved to receive a minister from the congress, Mr. Franklin still remains here. She has, however, afforded the aids we formerly mentioned, and supplies of various articles have continued till lately to be sent, consigned to Mr. Gerry, much of which we hear, have safely arrived. We shall use our best endeavours to obtain a continuance and increase of those aids.

You will excuse our mentioning to you that our expenses here are necessarily very great, though we live with as much frugality as our public character will permit. Americans who escape from English prisons destitute of every thing, and others who need assistance are continually calling upon us for it, and our funds

are very uncertain, having yet received but about 64,571 livres of what was allotted for our support by congress.

The Hon'ble the Secret Committee."

A true copy ; attest,

W. T. FRANKLIN.

" PASSY, near PARIS; Oct. 7th, 1777.

Gentlemen,—We received duly your despatches by Mr. McCrery and Capt. Young, dated May 20th and 30th, June 13th, 18th, and 26th, and July 2d. The intelligence they contain is very particular and satisfactory. It rejoices us to be informed that unanimity continues to reign among the states, and that you have so good an opinion of your affairs, in which we join with you. We understand that you have also written to us of later dates, by Capt. Holm. He is arrived at port L'Orient, but being chased and nearly taken, he sunk his despatches.

We are also of your sentiments with regard to the interests of France and Spain respecting our independence, which interests we are persuaded they see as well as we, though particular present circumstances induce them to postpone the measures that are proper to secure those interests. They continue to hold the same conduct described in our last, which went by Wickes and Johnson, a copy whereof we send herewith, as Johnson is unfortunately taken ; we have lately presented an earnest memorial to both courts, stating the difficulties of our situation, and requesting that if they cannot immediately make a diversion in our favour, they would give a subsidy sufficient to enable us to continue the war without them, or afford the states their advice and influence in making a good peace. Our present demand to enable us to fulfil your orders, is for about 8,000,000 livres. Couriers we understand are despatched with this memorial to Madrid, by both the ambassador of Spain and the minister here ; and we are desired to wait with patience the answer, as the two courts must act together. In the mean time they give us fresh assurances of their good will to our cause, and we have just received a fourth sum of 500,000 livres. But we are continually charged to keep the aids that are or may be afforded us a dead secret even from the congress,

where they suppose England has some intelligence ; and they wish she may have no certain proofs to produce against them with the other powers of Europe. The apparent necessity of your being informed of the true state of your affairs, obliges us to dispense with this injunction ; but we entreat that the greatest care may be taken that no part of it shall transpire, nor of the assurances we have received that no repayment will ever be required from us of what has been already given us, either in money or military stores. The great desire here seems to be that England should strike first, and not be able to give her allies a good reason. The total failure of remittances from you for a long time past, has embarrassed us exceedingly ; the contract we entered into for clothing and arms in expectation of those remittances, and which are now beginning to call for payment, distress us much, and we are in imminent danger of bankruptcy ; for all your agents are in the same situation, and they all recur to us to save their and your credit. We were obliged to discharge a debt of Merckles at Bourdeaux, amounting to about 5000 livres, to get that vessel away, and he now duns us every post for between 4 and £5000 sterling to disengage him in Holland, where he has purchased arms for you. With the same view of saving your credit Mr. Ross was furnished with £20,000 sterling to disentangle him. All the captains of your armed vessels come to us for their supplies, and we have not received a farthing of the produce of their prizes, as they are ordered into other hands. Mr. Hodge has had large sums of us. But to give you some idea for the present, till more perfect account can be rendered, of the demands upon us that we have paid, we enclose a sketch for your perusal ; and shall only observe that we have refused no application in which your credit appeared to be concerned, except one from the creditors of a Mr. Ceronis, said to be your agent in Hispaniola, but of whom we had no knowledge ; and we had reason to hope that you would have been equally ready to support our credit as we have been of yours, and from the same motives, the good of the public for whom we are all acting, the success of our

business depending considerably upon it. We are sorry therefore to find all the world acquainted here, that the commissioners from congress have not so much of your regard as to obtain the change of a single agent who disgraces us all. We say no more of this at present, contenting ourselves with the consciousness that we recommended that change from the purest motives, and that the necessity of it, and our uprightness in proposing it, will soon fully appear.

Messrs. Guardoqui, at Bilboa, have sent several cargoes of naval stores, cordage, sail-cloth, anchors, &c. for the public use, consigned to Elbridge Gerry, Esq. They complain that they have no acknowledgment from that gentleman of the goods being received, though they know the vessels arrived. We have excused it to them, on the supposition of his being absent at congress. We wish such acknowledgment may be made, accompanied with some expressions of gratitude towards those from whom the supplies came, without mentioning who they are supposed to be. You mention the arrival of the *Amphitrite* and *Mercury*, but say nothing of the cargoes.

Mr. Hodge is discharged from his imprisonment on our solicitation, and his papers restored to him. He was well treated while in the Bastille. The charge against him was, deceiving the government in fitting out Cunningham from Dunkirk, who was represented as going on some trading voyage, but as soon as he was out began a cruise on the British coast, and took six sail. He is now safe in Ferrol.

We have received and delivered the commissions to Mr. W. Lee and Mr. Izard. No letters came with them for those gentlemen with information how they are to be supported on their stations. We suppose they write to you, and will acquaint you with their intentions.

Some propositions are privately communicated to us, said to be on the part of Prussia, for forming a commercial company at Embden. We shall put them into the hands of Mr. Lee.

We do not see a probability of our obtaining a loan of the £2,000,000 sterling from any of the money holders in

Europe, till our affairs are in their opinion more firmly established ; what may be obtained from the two crowns either as loan or subsidy, we shall probably know on the return of the couriers, and we hope we shall be able to write more satisfactorily on those heads by Capt. Young, who will by that time be ready to return.

With the greatest respect, we have the honour to be gentlemen, your most obedient humble servants,

BENJAMIN FRANKLIN,
SILAS DEANE,
ARTHUR LEE.

To the Hon'ble the Secret Committee."

(True copy.) Attest, W. T. FRANKLIN.

"PASSY, Nov. 30th, 1777.

Gentlemen,—In a former letter we acquainted you that we had engaged an officer, one of the most skilful in naval affairs that this country possessed, to build us a frigate in Holland, on a new construction (draughts of which we sent you), and to go over in her to America and enter your sea service. The frigate is almost finished. She is very large, is to carry 30 twenty-four-pounders on one deck, and is supposed equal to a ship of the line. But the infinite difficulties we find in equipping and manning such a ship in any neutral port, under the restrictions of treaties, together with the want of supplies from you, have induced us to sell her to the king, who by a large pension offered to our officer, has engaged him to remain in his service, and pays us what we have expended on her.

We have built a small frigate at Nantes, which we hope to get away soon, laden with supplies of various sorts. We meet with difficulties too in shipping arms and ammunition in her, but hope they will be surmounted. Several other vessels, some under the direction of Mr. Ross, others belonging to French merchants, are almost ready to sail for America, and we had thoughts of sending them in a little fleet under convoy of the Raleigh and Alfred ; but on consultation, considering the spies maintained by England in all the ports, and thence the impossibility of making up such a fleet, without its

being known so as to give time for a superior force to lie in wait for it, we concluded the chance better, to send them off singly as they should be ready. In these vessels are clothes ready made for 3,000 men, besides arms, cloths, linens, and naval stores to great amount, bought by us and Mr. Ross. The private adventures also will be very considerable. And as we shall continue our endeavours to complete your orders, we hope if the ships have common success in passing, you will be better provided for the next campaign than you have been for any of the preceding.

How we are enabled to make these supplies must be a matter of some surprise to you, when you reflect that little or nothing from you has been received by us since what came by Capt. Wickes, till now by the arrival of the *Amphitrite*; and that the seeming uncertainty of your public affairs have prevented hitherto our obtaining the loan proposed. We have however found or made some friends who have helped, and will, we are confident, continue to help us.

Being anxious for supporting the credit of congress paper money, we procured a fund for payment of the interest of all the congress had proposed to borrow. And we mentioned in several of our letters, that we should be ready to pay all bills drawn for the discharge of such interest to the full value in money of France, that is five livres for every dollar of interest due. We were persuaded that thus fixing the value of the interest would fix the value of the principal, and consequently of the whole mass. We hope this will be approved, though we have yet no answer. We cannot apply that fund to any other purpose, and therefore wish to know as soon as may be the resolution of congress upon it. Possibly none of those letters have reached you, for your answers have miscarried; for the interceptions of our correspondence have been very considerable. Adams, by whom we wrote early in the summer, was taken on this coast, having sunk his despatches. We hear that Hammond shared the same fate on your coast. Johnson, by whom we wrote in September, was taken going out of the channel;

and poor Capt. Wickes, who sailed at the same time and had duplicates, we just now hear has foundered near Newfoundland, every man perishing but the cook. This loss is extremely to be lamented; as he was a gallant officer and a very worthy man. Your despatches also, which were coming by a small sloop from Morris's River, and by the — Packet, were both sunk on the vessels being boarded by English men-of-war. The Amphitrite's arrival with a cargo of rice and indigo, 1000 barrels of the one and 20 of the other, is a seasonable supply to us for our support, we not having for some time past (as you will see by our former letters) any expectations of farther supply from Mr. Morris; and though we live here with as much frugality as possible, the unavoidable expenses and the continual demands upon us for assistance to Americans who escape from English prisons, &c. &c. endanger our being brought to great difficulties for subsistence. The freight of that ship too calls for an enormous sum, on account of her long demurrage.

We begin to be much troubled with complaints of our armed vessels taking the ships and merchandise of neutral nations. From Holland they complain of the taking of the sloop Chester, Capt. Bray, belonging to Rotterdam, by two privateers of Charlestown, called the Fair American and the Experiment; from Cadiz, of the taking of the French ship Fortune, Capt. Kenguon, by the *Civil Usage* privateer, having on board Spanish property; and here of the taking of the Emperor of Germany, from Cork, with beef belonging to the marine of France, just off the mouth of Bourdeaux River. We send herewith the report we have received, and answers given relating to these captures, and we earnestly request that if upon fair trials it shall appear that the allegations are true, speedy justice may be done, and restoration made to the reclaimers; it being of the utmost consequence to our affairs in Europe, that we should wipe off the aspersions of our enemies, who proclaim us every where as pirates, and endeavour to excite all the world against us. The Spanish affair has already had very ill effects at that court, as we learn by the return of the courier mentioned

in our last. We have by letters to our correspondents at the several ports, done all in our power to prevent such mischiefs for the future, a copy of which we herewith send you.

The European maritime powers embarrass themselves as well as us, by the double part their politics oblige them to act. Being in their hearts our friends, and wishing us success, they would allow us every use of their ports consistent with their treaties, or that we can make of them without giving open cause of complaint to England. And it being so difficult to keep our privateers within those bounds, we submit it to consideration whether it would not be better to forbear cruising on the coasts and bringing prizes in here, till an open war takes place, which, though by no means certain, seems every now and then to be apprehended on both sides. Witness among other circumstances the recall of their fishing ships by France; and the king of England's late speech. In consequence of this embarrassed conduct our prizes cannot be sold publicly, of which the purchasers take advantage in beating down the price. And sometimes the admiralty courts are obliged to lay hold of them in consequence of orders from court, obtained by the English ambassador. Our people of course complain of this as unfriendly treatment; and as we must not counteract the court, in the appearance they seem inclined to put on towards England, we cannot set our folks right by acquainting them with the essential services our cause is continually receiving from this nation; and we are apprehensive that resentment of that supposed unkind usage, may induce some of them to make reprisals, and thereby occasion a great deal of mischief. You will see some reason for this apprehension in the letter from Capt. Babson, which we send you herewith, relating to their two prizes confiscated here for false entries, and afterwards delivered up to the English: for which however we have hopes of obtaining full satisfaction, having already a promise of part. The king of England's speech, blusters towards those kingdoms, as well as towards us. He pretends to great resolution both of con-

tinuing this war, and of making two others, if they give him occasion. Yet it is conceived he will with difficulty find men or money for another campaign of that already on his hands; and all the world sees that it is not for want of will that he puts up with daily known advantages afforded us by his neighbours. They however, we have reason to believe, will not, as long as they can avoid it, begin the quarrel, nor give us any open assistance of ships or troops. Indeed we are scarce allowed to know that they give us any aid at all; but are left to imagine, if we please, that the cannon, arms, &c. which we have received and sent, are the effects of private benevolence and generosity. We have nevertheless the strongest reasons to confide that the same generosity will continue; and it leaves America the glory of working out her deliverance by her own virtue and bravery; on which with God's blessing we advise you chiefly to depend. You will see by the papers, and a letter of intelligence from London, that the continuance of the war is warmly condemned in parliament, by their wisest and ablest men, in the debates on the speech; but the old corrupt majority continues to vote as usual, with the ministers. In order to lessen their credit for the new loans, we have caused the paper which we formerly mentioned, to be translated and printed in French and Dutch by our agent in Holland. When it began to have a run there, the government forbid the farther publication, but the prohibition occasions it to be more sought after, read, and talked of.

The monument for Gen. Montgomery is finished, and gone to Havre in nine cases to lie for a conveyance. It is plain but elegant, being done by one of the best artists here, who complains that the 300 guineas allowed him is too little; and we are obliged to pay the additional charges of package, &c. We see in the papers that you have voted other monuments, but we have received no orders relating to them.

The Raleigh and Alfred will be well fitted and furnished with every thing they want, the congress part of their prizes being nearly equal to their demands.

Be pleased to present our dutiful respects to the congress, and assure them of our most faithful services.

We have the honour to be gentlemen, your most obedient, humble servants.

BENJAMIN FRANKLIN,
SILAS DEANE,
ARTHUR LEE.

The Hon'ble the Secret Committee."

"PARIS, Dec. 18th, 1777.

Gentlemen,—Since ours of Nov. 30th, a copy of which is herewith sent you, we received your despatches of Oct. 6th, from Yorktown; they came to us by a packet from Boston, which brought the great news of Burgoyne's defeat and surrender, news that apparently occasioned as much general joy in France, as if it had been a victory of their own troops over their own enemies, such is the universal, warm, and sincere good will and attachment to us and our cause in this nation. We took the opportunity of pressing the ministry by a short memorial to the conclusion of our proposed treaty, which had so long lain under their consideration, and been from time to time postponed. A meeting was had accordingly, on Friday, the 12th inst., in which some difficulties were mentioned and removed, some explanations asked and given to satisfaction. As the concurrence of Spain is necessary, we were told that a courier should be despatched the next day to obtain it, which we are since assured was done; and in three weeks from the time the answer is expected.

On signifying to the ministry the importance it might be of at this juncture, when probably Great Britain would be making some propositions of accommodation, that the congress should be informed explicitly what might be expected from France and Spain, M. Gerard, one of the secretaries, came yesterday to inform us by order of the king, that after long and full consideration of our affairs and propositions in council, it was decided, and his majesty was determined to acknowledge our independence and make a treaty with us of amity and commerce; that in this treaty no advantage would be taken of our pre-

sent situation, to obtain terms from us which otherwise would not be convenient for us to agree to, his majesty desiring that the treaty once made should be durable, and our amity subsist forever; which could not be expected if each nation did not find its interest in the continuance as well as in the commencement of it. It was therefore his intention that the terms of the treaty should be such, as we might be willing to agree to if our state had been long since established, and in the fullness of strength and power; and such as we shall approve of when that time shall come. That his majesty was fixed in his determination not only to acknowledge but to support our independence by every means in his power. That in doing this he might probably be soon engaged in war, with all the expenses, risk, and damage, usually attending it; yet he should not expect any compensation from us on that account, nor pretend that he acted wholly for our sakes, since besides his real good will to us and our cause, it was manifestly the interest of France that the power of England should be diminished by our separation from it. He should moreover not so much as insist, that if he engaged in a war with England on our account, we should not make a separate peace: he would have us be at full liberty to make a peace for ourselves, whenever good and advantageous terms were offered to us. The only condition he should require and rely on would be this, that we, in no peace to be made with England, should give up our independency, and return to the obedience of that government. That as soon as the courier returned from Spain with the concurrence expected, the affair would be proceeded in and concluded; and of this we might give the congress the strongest assurance in our despatches, only cautioning them to keep the whole for the present a dead secret, as Spain had three reasons for not immediately declaring, her money fleet not yet come home, her Brazil army and fleet the same, and her peace with Portugal not quite completed; but these obstacles would probably soon be removed. We answered, that in what had been communicated to us we perceived and admired the king's magnanimity and his wisdom; that

he would find us faithful and firm allies, and we wished with his majesty that the amity between the two nations might be eternal. And mentioning that republics were usually steady in their engagements, for instance the Swiss Cantons, the secretary remarked that France had been as steady with regard to them, two hundred years having passed since their first alliance for fifty years had commenced, which had been renewed from time to time ; and such had been her uniform good faith towards them, that, as it appeared in the last renewal, the protestant Cantons were free from their ancient prejudices and suspicions, and joined readily with the rest in the league, of which we herewith send you a copy.

It is sometime since we obtained a promise of an additional aid of three millions of livres, which we shall receive in January. Spain we are told will give an equal sum, but finding it inconvenient to remit here, she proposes sending it from the Havannah in specie to the congress. What we receive here will help to get us out of debt.

Our vessels laden with supplies have by various means been delayed, particularly by fear of falling into the hands of the English cruising ships, who swarm in the bay and channel. At length it is resolved they shall sail together, as they are all provided for defence, and we have obtained a king's ship to convoy them out of the channel, and we hope quite to America. They will carry we think to the amount of £70,000 sterling, and sail in a few days. Also, in consideration of the late frequent losses of our despatches and the importance of the present, we have applied for and obtained a frigate to carry them. These extraordinary favours, of a nature provoking to Great Britain, are marks of the sincerity of this court, and seem to demand the thanks of the congress.

We have accepted five bills drawn on us by the president in favour of some returned officers, and shall pay them punctually. But as we receive no remittances for our support, and the cargo in the *Amphitrite* is claimed from us by Mr. Beaumarchais, and we are not certain

that we can keep it, we hope congress will be sparing in their draughts, except for the interest mentioned in our former letters; of which we now repeat the assurances of payment. Otherwise we may be much embarrassed, and our situation rendered extremely uncomfortable.

It is said the French ambassador at London has desired to be recalled, being affronted there, where the late news from America has created a violent ferment. There is also talk here of Lord Stormont's recall. The stocks in England fall fast; and on both sides there is every appearance of an approaching war.

Being informed by the concurring reports of many who had escaped, that our people, prisoners in England, are treated with great inhumanity, we have written a letter of expostulation to Lord North on the subject, which we sent over by a person express, whom we have instructed to visit the prisons under the directions of Mr. Hartley, to relieve in some degree the most necessitous. We shall hereafter acquaint you with the result. The expenses we are put to by those who get to us, are very considerable.

The supplies now going out from hence, and what we have sent and are sending you from Spain, though far short of your orders, (which we have executed as far as we were able) will we hope, with private supplies encouraged by us and others, put you in pretty good circumstances as to clothing, arms, &c. if they arrive. And we shall continue to send as ability and opportunity may permit.

Please to present our best respects to the congress, and believe us to be, with sincere and great esteem, gentlemen, your most obedient and very humble servants,

BENJAMIN FRANKLIN,
SILAS DEANE,
ARTHUR LEE.

To the Hon'ble Robert Morris, Esq."

True copy. Attest.

W. T. FRANKLIN.

"PASSY, near PARIS, Feb. 28th, 1778.

Gentlemen,—Our despatches of Dec. 18th, which would have acquainted you with the state of our affairs

here, and our expectations of a speedy conclusion of the treaties with this court, are unfortunately returned ; the French man-of-war which went on purpose to carry them, having met with some disaster at sea, which obliged her to put back, after a long struggle of six weeks against contrary winds. We now have obtained another ship to sail with them immediately, and with our fresh despatches containing the treaties themselves, which were happily concluded and signed the 6th inst., though hitherto for some political reasons kept a secret from the public.

The English parliament adjourned in December, for six weeks. During that time their ministers strained every nerve to raise men for their armies, intending to continue the war with vigour. Subscriptions were set on foot to aid government in the expense, and they flattered themselves with being able to enlist 10,000 volunteers. But whether they found this impracticable, or were discouraged by later accounts from America, or had some intimation of our treaties here, their vaunts and threats are suddenly abated ; and on the 17th Lord North made a long discourse, acknowledging the errors of their former conduct in the war with America, and proposing to obtain peace by the means of two bills, of which we enclose copies.

We make no remarks on these bills ; the judgment of the congress can be at no loss in determining on the conduct necessary to be held with regard to them. And we are confident they will not answer the purpose of *dividing* in order to *subjugate*, for which they are evidently intended.

Our states have now a solid support for their liberty and independence in their alliance with France, which will be certainly followed by that of Spain and the whole house of Bourbon, and probably by Holland and the other powers of Europe, who are interested in the freedom of commerce, and in keeping down the power of Britain. Our people are happy in the enjoyment of their new constitutions of government, and will be so in their extended trade and navigation, unfettered by English acts

and custom-house officers. They will now never relish the Egyptian bondage from which they have so happily escaped. A long peace will probably be the consequence of their separation from England, as they have no cause of quarrel with other nations; an immediate war with France and Spain, if they join again with England, and a share in all her future wars, her debts, and her crimes. We are therefore persuaded that their commissioners will be soon dismissed if at all received, for the sooner the decided part taken by the congress is known in Europe, the more extended and stable will be their credit, and their conventions with other powers more easy to make and more advantageous.

Americans are every where in France treated with respect and every appearance of affection. We think it would be well to advise our people in all parts of America to imitate this conduct with regard to the French who may happen to be among us. Every means should be used to remove ancient prejudices, and cultivate a friendship that must be so useful to both nations.

Some transactions here during the last four or five months, in the rigorous observance of treaties with regard to the equipments of our armed vessels in the ports, and the selling of our prizes, have no doubt made ill impressions on the minds of our seamen and traders relative to the friendship of this court. We were then obliged to observe a secrecy which prevented our removing those prejudices, by acquainting our people with the substantial aids France was privately affording us; and we must continue in the same situation till it is thought fit to publish the treaties. But we can with pleasure now acquaint you that we have obtained full satisfaction for the owners of the prizes confiscated here for a breach of the laws by a false declaration, they being entered as coming from Statia, and the payment will be made to the owners in America. We mean the prizes taken by Capt. Babson and Hendricks in the Boston and Hancock privateers, which prizes after confiscation were, for reasons of state, restored to the English. This is a fresh proof of the good will and generosity of this court, and their determination to cultivate the friendship of America.

The preparations for war continue in all the ports with the utmost industry, and troops are marching daily to the sea coasts, where three camps are to be formed. As France is determined to protect her commerce with us, a war is deemed inevitable.

Mr. W. Lee we suppose acquaints you with the decease of Mr. Morris, his colleague in the commercial agency. On our application to the ministry, an order was obtained to put Mr. Lee in possession of his papers. If that department has been found useful and likely to continue so, you will no doubt appoint one or more persons to take care of the business, as Mr. Lee has now another destination. Perhaps the general commerce likely to be soon opened between Europe and America, may render such an appointment unnecessary. We would just add for the consideration of congress, whether, considering the mention of Bermudas in one of the articles, it may not be well to take possession of that island, with the consent of the inhabitants, and fortify the same as soon as possible. And also to reduce some or all of the English fishing posts in or near Newfoundland.

With the greatest respect we have the honour to be, gentlemen, your most obedient humble servants.

B. FRANKLIN,
S. DEANE,
A. LEE.

Hon'ble the Committee for Foreign Affairs."

Authentic copy. Attest, W. T. FRANKLIN.

(b) Extracts from the Journal of Mr. Lee. Journal continued.

"PARIS, Sept. 26th, 1777.

Mr. Grand reported his having delivered the memoire for money to Count Vergennes, who said he must communicate with the Spanish court upon the aid required. He was then informed that it had been communicated to Count d'Aranda, and pressed with the immediate necessity the commissioners were under for the money. Up-

on that he promised to have it translated immediately, and laid before the king. In the evening Mr. G. carried to the Spanish ambassador a copy of the proposals made by order of congress to the French court, which upon reading, he said had never before been mentioned to him.

Mr. Lee conversing with Mons. Chaumont upon the present state of things, they agreed that there was no prospect of a war; but Mr. C. said the conduct of the ministry was totally incomprehensible, and perhaps when they had arranged *leur petits affaires*, they might go to war. Mr. Lee asked him whether he numbered their finances in that description, and how they could go to war without money. He answered that France was very differently circumstanced in that respect from other countries. For that the king could at any time say to the public creditors, I must apply my revenue to the current expenses, and you must wait till it is convenient to pay you; that this would occasion no disturbance. It was very desirable, he said, in the actual situation of France to continue in peace, but that there was danger thereby at present of losing the national character of a warlike people, in which their glory and perhaps their safety consisted.

27th. Mr. L. introduced Mr. Izard to the Abbé Nicoli. In conversation the abbé observed, that when the states of America had established their independency they would quarrel among themselves, as the Italian and Grecian states had done; that this would infallibly happen, unless a similar mode of taxation was adopted among them all; and that none could be so proper as a general tax upon land, formed upon an universal and equal survey. Mr. Izard answered that nothing would be more unjust than such a tax, because the man who possessed ten thousand acres of uncultivated land would pay ten times as much as him who had a thousand acres in the most profitable cultivation. The abbé seemed to admit the justice of this objection; upon which Mr. L. observed, that for the very reason alleged against it, such a mode of taxation appeared to him the best that could

be devised, because it would compel the great landholders to cultivate their lands, or sell it out into parcels to those who could ; and therefore this tax would answer at once the public demands, and promote agriculture and industry. At the same time it seemed to him that reasoning from ancient republics, whose employment and delight were war, to those of the present time, whose object were peace and commerce, was exceedingly erroneous. It is certain, that with the Grecian and Roman states peace was painful, and war delightful; but with modern states it is directly the reverse ; therefore it is probable their conduct will be directly opposite.

29th. Capt. Young, of the sloop Independence, arrived at Passy with despatches from congress. The letters were originals of copies received ten days before. With them came a commission for Mr. Izard to the court of Florence ; for Mr. W. Lee, to those of Vienna and Berlin, with instructions ; for myself to Madrid, with a reservation of my powers at this court, while I remained in France.*

30th. Received an account of the Lexington, Capt. Johnson, having been taken by an English cutter, after a long and obstinate engagement, in which most of her officers were killed. I read a paragraph to the commissioners, in my brother Richard Henry Lee's letter, stating that without an alliance with France and Spain, with a considerable loan to support their funds, it would be difficult to maintain their independence. Resolved to send Mr. Grand next day to Count Vergennes, for an answer to their memoire.

1st Oct. Mr. Grand reported that Count Vergennes had not yet laid the memoire before the king, and therefore directed him to come on Friday, for an answer ; that he seemed to think the sum of fourteen millions of livres† a great demand ; that he talked of an alliance as a thing yet to be considered of; that it would involve all Europe, and assist us much less than we imagined. He said we

* I desired the advice of the other commissioners, about announcing my appointment immediately. Dr. F. said he would consider of it, and the other said nothing.

† The nett revenue of France is 400 millions.

were wrong in distrusting Maurepas and Necker, and ~~still~~ more in the unguarded manner in which we did business, so that Lord Stormont had apprized Mons. Maurepas, that a memoire was intended before it was presented, and on account of it, has written to him, Vergennes, from England. He desired us to be more cautious, and to be assured that there was a traitor in the congress itself, who gave intelligence. Mr. Grand communicated these things to me in private, and I desired him to do it to all the commissioners together, that it might suggest to them some caution in the conduct of our affairs, which was open to all the world. He did so; and it was considered as a pretext for refusing to assist us by one, and as an unjust accusation by the other. It was said that if Lord Stormont had such information from some one about us, he would not have told it, because that would prevent any farther communication, and therefore it seemed improbable that Lord Stormont had told them so. Mr. Lee said that in these cases Lord Stormont's object was to excite distrust and destroy all confidence between them, which it appeared he, aided by other things, had but too well effected.

The discourse of an alliance was moved by Mr. Grand at my desire, and in consequence of my brother's letter. I drew up a short view of our situation for his instruction.

3d Oct. Mr. Grand made his report that no answer could yet be given, only that we might be assured of the king's good disposition; that Spain must be consulted, which would require some weeks; that we must mention nothing farther to congress when we wrote, but that we had sent them such and such things, *for which they need give themselves no trouble about making returns*; that nothing which we had received or were to receive *was lent, but to be considered as given*; that war in Europe would disable them from aiding us with money, and perhaps be less advantageous to us than we imagined, because Great Britain would have powerful allies. Mr. Grand added that, as far as he could judge from the count's manner, every thing was favourably disposed, and we might rest satisfied of something being done.

Mr. Grand proposed to the commissioners that they should make a present of their ship in Holland to the king, as the only manner of getting her from thence, and this measure he understood would be very acceptable, and that Mr. Boux approved highly of the scheme. The commissioners were of opinion that such a proposition should come from the minister, without which it would be both foolish and indecent in them. Mr. Grand was therefore desired to state her situation to the minister, and inform him that the commissioners were ready to follow his advice implicitly concerning the disposal of her. The history of this vessel is curious enough. Soon after the commissioners arrived, Sir George Grand, banker at Amsterdam, and then in Paris, Mr. Grand, and Mr. Chaumont, all of whom were in the confidence of the ministry and strongly recommended, introduced to us a Capt. Boux, of the French navy, of whom every good thing was said in the most exaggerated strain of commendation. He was the most ingenious, the most disinterested, and the most honest man in France; zealous for our cause, and desirous of nothing so much as to get into our service, so entirely free from any selfish motive that he would go out of it naked, (such was the expression) as he came in. Well; this extraordinary man laid before us a multitude of plans and schemes, which upon paper, and in terms which we did not understand, seemed exceedingly plausible. We were then told of the wonderful expedition, cheapness, and certainty of building frigates at Amsterdam; the king of Spain had some built upon an excellent construction of 28 guns, for £7000; however Sir George was soon to go thither, and he would send us an exact account. His intelligence was, that that they would cost 6000 each. In this situation of the affair, I went to Spain. While I was absent, the business was settled. Mr. Boux agreed to go, but with an annual pension of —, all his expenses paid, and those of his nephew, who was now introduced as one of the necessary actors in *fabulo*. The first thing that happened upon his arrival was the drawing for £300,000, which

was to build two frigates. When I returned from Spain, the letters from Sir G. and Mr. B. told us the agreement was made for one, the workmen not being able to undertake for more within the time limited. But no agreement was sent us. We wrote for the agreement, flattering ourselves that the half of what we had paid would be refunded. I told Mr. Deane then, that this was a vain expectation, for as he who paid beforehand was always made the paymaster for him who did not pay at all, there would be found ways and means to dispose of the money they had got into their hands. The agreement was at length sent, and it had absorbed every livre; however, we were flattered with the vessel being invincible, that she would infallibly be at sea in such a time, and would soon reimburse us this extraordinary expense. Mr. Boux returned the beginning of May, having put every thing into so good a way that his presence it seemed was no longer necessary. Mr. Grand tells me Mr. Boux desired Mr. Deane to settle the account of his expenses, which he had never done. When I returned from Germany, I found Sir George was pressing for considerable sums more to equip and load the vessel. But our funds being exhausted, I suppose he was informed by Mr. Grand here that nothing more was to be expected, and our next tidings was the melancholy information, that it was impossible we should get sailors to man her. It was therefore agreed to sell her, and the success they had in drawing us into this foolish and expensive scheme, induced them probably to think that we might be duped still farther, in the proposition I have mentioned, which though it appeared absurd and extravagant to us, yet no doubt was some how or other to turn out to Mr. Boux's advantage.

15th. The commissioners received a letter from Capt. Thompson, commander of the Raleigh at Port Louis, informing them of his arrival there, in company with the Black Prince ship of war and two West India prizes, and that he was under our orders, as appeared from a letter from the marine committee signed John Hancock, Richard Henry Lee, Whipple, and others. He sent us

also a journal of his cruise, by which it appeared he had fallen in with the Jamaica fleet, and almost sunk the *Druid*, one of her convoy; the whole of which he would have destroyed, but that the *Black Prince* was so tender that she could not carry sail nor assist him. We received the same day an account of the arrival of Mr. Chaumont's French packet, but having been boarded by a man-of-war, the despatches for us were thrown overboard. Mr. Girardot, the banker, assured us there were more than fifty sail to go soon from France with merchandise for America.

16th. I had some conversation with Mr. Deane upon Mr. Ross's scheme, which he said had occurred to him. He was for directing a rendezvous at Martinique, and getting a great many private adventurers, some of whom he said would carry upwards of 30 guns, to join the squadron. I gave him my opinion, that the success did not depend so much upon the greatness of the force, as upon the secrecy of the expedition. That if it was committed to others it would be impossible to keep it secret, especially to Frenchmen, whose manner was to talk much, do little, and protract every thing. I added that if the scheme was judged proper, the best way would be to leave the execution of it to one of our number, say Mr. Ross.

17th. Mr. Ross breakfasted with Mr. Lee, and the above conversation was communicated to him. He seemed satisfied that it would not be safe to extend it to others. Mr. Lee promised him a letter to Mr. Gardoqui, in Spain, requesting him to take a cargo belonging to Mr. Ross out of the hands of a merchant at Corunna.

18th. Signed a receipt to the king's treasurer for half a million of livres, paid to our banker, Mr. Grand, from whom we took a receipt. Mr. G. had received a note to come to Fontainebleau, to talk with M. de Sartine about the vessel at Amsterdam. Mr. Deane proposed accompanying him, but without any communication with Mr. L. I desired Mr. G. to request of Mons. Vergennes that he would give us any information he could, touching

the negotiations of England in Russia and Germany for new troops, and what were the enemy's plans for another campaign. That it was of consequence to give congress the earliest possible intelligence upon this subject, that they might prepare accordingly.

19th. Mr. Lee was employed in extracting from the journals of congress, their proceedings relative to the prisoners made from the enemy. Copies of these he meant to distribute over Europe, in answer to the calumnies of the British court, and to show how unjustifiable the cruel conduct of that court to American prisoners ought to be deemed.

Mr. Lee received the following note and letter from Mr. Deane.

"Mr. Deane's compliments to Mr. Lee, and encloses him a letter from Mr. S. Deane, which is on a subject that ought to be early attended to, and which Mr. Hodge and Mr. Carmichael can explain. Mr. D. proposes setting out this afternoon, and returning on Tuesday.

Sunday Morning."

"DUNKIRK, Oct. 15th, 1777.

Honoured Gentlemen,—On my arrival here I follow-ed your instructions concerning the vessel to be equipped at L'Orient. A difficulty arises about sending her from hence. Mr. Morrell having some time since been informed from the ministry that the vessel could not be permitted to depart the port. He informed Mr. Cailly of this circumstance, in consequence of which Mr. Cailly writes Mr. Chaumont by this post, and waits his answer as farther orders in the affair. 'Tis likely his letter to Mr. Chaumont, containing a copy of my direction to him, will be shown you. This with Mr. Morrell's letter will fully explain the matter, and I make no doubt the sloop may soon be allowed to pass, as she will have neither guns nor warlike stores on board. I must beg leave to inform your honours that there are several Americans still here, and at a considerable expense, which has been represented to me by Mr. Coffin, the broker, who has advanced con-

siderably for them, and would be glad to receive orders how to conduct in future. Mr. Carmichael or Mr. Hodge can likely inform you of farther particulars on this subject. Their spiritual guide is still here, and very needy, and I am told ready at any thing. I must remark to your honours that it is necessary the sums already advanced by Mr. Coffin be now replaced, and some orders given for his conduct in future on that head, as those persons, unless restricted to a certain daily allowance, may expend too freely. As the bills are considerably in arrears, unless something is determined about their payment, and the management in future, it will not only be hard usage on those who have advanced the money, but must directly deprive those American people of any farther assistance. In gratitude to the gentlemen with whom your business has been entrusted here, at least so far as I have been introduced to them, I must take the liberty to acknowledge their civility and readiness in each particular, and remain your honours' most devoted and obedient servant,

SIMEON DEANE.

The Hon'ble Commissioners from the United States."

To Mr. D.'s note I answered that I should be ready to consider the business mentioned, with which I was as yet entirely unacquainted, whenever a time was appointed.

21st. Received a letter from Baron Schulenburg informing me that his Prussian majesty could not admit our armed vessels into his ports, and must wait a more favourable opportunity of forming a connexion with us, which would give him much satisfaction, when it could be done consistently with his principles. This letter I carried to Dr. F., Mr. D. having set out for Fontainebleau the evening before.

23d. Answered Baron Schulenburg's letter, expressing my regret that we could not form a connexion with a monarch of such reputation for wisdom and for valour. Hoped he would use his influence to prevent our enemies from drawing reinforcements from Germany, Russia, or

Denmark, and that the baron would communicate to me what success the negotiations of our enemies were likely to have on that subject.

24th. Dined at Passy. No communication from Mr. Deane of what passed at Fontainebleau. Asked Dr. F. for Count Vergennes's letter, our last memorial and letter to the committee, that I might copy them. Promised them to-morrow. Upon enquiring whether any answer had been received from Capt. Thompson, a letter was produced which had been received some days, in which the captain observed that Mr. Morris had applied to him for the sale of the prizes, to which he answered that he had put them into hands recommended by the commissioners. From this it appeared that he understood a letter which Mr. Deane wrote, and Mr. L. would not sign for that reason, as a direction to put the prizes into other hands than those appointed by the committee, which we had no right to do, and which was raising disputes very indecently and unwisely. All this I told Mr. Deane, when he wanted me to sign the letter, but it went, and I have my share of the blame. I mentioned to Dr. F. the necessity of our sending congress an account of the expenditure of the three millions of public money that had passed through our hands, and which he had informed me was to be done by the last opportunity. He said the principal articles to which it had been applied were sketched in some former letter. I asked for a copy of the articles sent from Marseilles, which had been in his hands for some time without my having seen it. It was agreed that Mr. Ross should be desired to meet us next day, to talk farther upon his scheme, and Dr. F. said he would write to Capt. Thompson to come up while his ship was refitting to settle the plan of their going together. Mr. Lee thought this would delay his fitting out, and create a considerable unnecessary expense; because if there was any hope of secrecy it must not be communicated to any of the captains till they reached the place of rendezvous, and upon secrecy the success entirely depended. Dr. F. observed upon this that it had already been talked of, for Mr. Izard had mentioned

it to him yesterday, therefore some one must have told it to him. This is the second instance of the difficulty of keeping any thing secret. When I was going to Berlin no one was acquainted with it but the other commissioners, Mr. Carmichael, who then pretended an intention of going with me as secretary, and the grand duke's envoy, from whom I received directions concerning my route. And yet Dr. F. complained, in a manner which seemed to charge me with having discovered it, that Mr. Sayre mentioned it to him, and Mr. Carmichael declared Mr. T. had told him he had the information from me. This Mr. T. has not only denied under his hand, but acknowledged, what was the fact, that I communicated it to him two days only before I set out. In the same manner after all the injunctions of secrecy, Mr. Ross had discovered his scheme to Mr. Izard.

25th. Having some conversation with Dr. F. upon the present state of things, he seemed to agree with me in thinking that France and Spain mistook their interest and opportunity in not making an alliance with us now, when they might have better terms than they could expect hereafter. That it was well for us they left us to work out our own salvation ; which the efforts we had hitherto made, and the resources we had opened, gave us the fairest reason to hope we should be able to do. He told me the manner in which the whole of this business had been conducted, was such a miracle in human affairs, that if he had not been in the midst of it, and seen all the movements, he could not have comprehended how it was effected. To comprehend it we must view a whole people for some months without any laws or government at all. In this state their civil governments were to be formed, an army and navy were to be provided by those who had neither a ship of war, a company of soldiers, nor magazines, arms, artillery or ammunition. Alliances were to be formed, for they had none. All this was to be done, not at leisure nor in a time of tranquillity and communication with other nations, but in the face of a most formidable invasion, by

the most powerful nation, fully provided with armies, fleets, and all the instruments of destruction, powerfully allied and aided, the commerce with other nations in a great measure stopped up, and every power from whom they could expect to procure arms, artillery, and ammunition, having by the influence of their enemies forbade their subjects to supply them on any pretence whatever. Nor was this all; they had internal opposition to encounter, which alone would seem sufficient to have frustrated all their efforts. The Scotch, who in many places were numerous, were secret or open foes as opportunity offered. The Quakers, a powerful body in Pennsylvania, gave every opposition their art, abilities and influence could suggest. To these were added all those whom contrariety of opinion, tory principles, personal animosities, fear of so dreadful and dubious an undertaking, joined with the artful promises and threats of the enemy rendered open or concealed opposers, or timid neutrals, or lukewarm friends to the proposed revolution. It was, however, formed and established in despite of all these obstacles, with an expedition, energy, wisdom, and success of which most certainly the whole history of human affairs has not, hitherto, given an example. To account for it we must remember that the revolution was not directed by the leaders of faction, but by the opinion and voice of the majority of the people; that the grounds and principles upon which it was formed were known, weighed and approved by every individual of that majority. It was not a tumultuous resolution, but a deliberate system. Consequently, the feebleness, irresolution, and inaction which generally, nay, almost invariably attends and frustrates hasty popular proceedings, did not influence this. On the contrary, every man gave his assistance to execute what he had soberly determined, and the sense of the magnitude and danger of the undertaking served only to quicken their activity, rouse their resources, and animate their exertions. Those who acted in council bestowed their whole thoughts upon the public; those who took the field did, with what weapons, ammunition and accommodation they could procure.

In commerce, such profits were offered as tempted the individuals of almost all nations, to break through the prohibition of their governments, and furnish arms and ammunition, for which they received from a people ready to sacrifice every thing to the common cause, a thousand fold. The effects of anarchy were prevented by the influence of public shame, pursuing the man who offered to take a dishonest advantage of the want of law. So little was the effects of this situation felt, that a gentleman, who thought their deliberations on the establishment of a form of government too slow, gave it as his opinion that the people were likely to find out that laws were not necessary, and might therefore be disposed to reject what they proposed, if it were delayed. Dr. Franklin assured me that upon an average he gave twelve hours in the twenty-four to public business. One may conceive what progress must be made from such exertions of such an understanding, aided by the co-operation of a multitude of others upon such business, not of inferior abilities. The consequence was, that in a few months, the governments were established ; codes of law were formed, which, for wisdom and justice, are the admiration of all the wise and thinking men in Europe. Ships of war were built, a multitude of cruisers were fitted out, which have done more injury to the British commerce than it ever suffered before. Armies of offence and defence were formed, and kept the field, through all the rigours of winter, in the most rigorous climate. Repeated losses, inevitable in a defensive war, as it soon became, served only to renew exertions that quickly repaired them. The enemy was every where resisted, repulsed, or besieged. On the ocean, in the channel, in their very ports, their ships were taken, and their commerce obstructed. The greatest revolution the world ever saw, is likely to be effected in a few years ; and the power that has for centuries made all Europe tremble, assisted by 20,000 German mercenaries, and favoured by the universal concurrence of Europe to prohibit the sale of warlike stores, the sale of prizes, or the admission of the armed vessels of America, will be

effectually humbled by those whom she insulted and injured, because she conceived they had neither spirit nor power to resist or revenge it.

Nov. 1st. Called upon Dr. Franklin and Mr. Deane. The latter showed me a letter from the king's officer at Nantes, informing him that he had express orders not to suffer any warlike stores to be shipped in the vessel we were fitting out; without a reversal it would be impossible to permit it. Mr. Deane made an appointment for me to meet next day at 11 o'clock, to consider the proposition of borrowing the two millions as we were directed.

2d. Going to Passy, according to the appointment, I found Mr. Deane had set out for Fontainebleau with Mr. Chaumont, to endeavour to obtain from Mons. Sartine a reversal of the above orders. Dr. F. was to open the letters, and then send them after Mr. D. All this was done without one word of consultation with me, or the least attention to me. Dr. F. mentioned the affair of borrowing money. I told him I could not discover that congress had directed us what to do with the money if we borrowed it; that if it was to be expended by us, it was proper we should give an account first of what had already passed through our hands; that I was very uneasy at being responsible for so great a sum of public money, without being able to obtain any account of its expenditure, which I had repeatedly desired might be made out. He answered it was as much my business as his; why did I not make it out? there was no reason to suspect any misapplication. I replied he had certainly misapprehended me. I had suggested no suspicion, but desired that which was just, reasonable, and absolutely necessary. I appealed to him whether I had ever refused to bear my part in doing business; but to make out an account when I was not possessed of a single paper for the purpose, was not possible. A great deal of the money had been expended in my absence, and almost all without consulting me. In consequence I was utterly incapable of giving any account of the expenditure. He said I had as many papers concerning it as he had; that

We had sent an account of the principal articles in our last despatches to congress. I said I could not recollect it. He called for the paper, and it appeared to be only the estimate of what we were to expend, with very little account of what we had spent. He then proposed we should altogether collect the account from Mr. Deane's books. But when, he would not determine, and so that went off like every thing else, unsatisfactorily. We went to Mr. Grand's, who showed us a note from Count Vergennes desiring to see him, in consequence of which he set out immediately for Fontainebleau.

3d. A letter from a merchant in Rotterdam, with verified papers to show that two American privateers had made prize of a vessel and her cargo, which were Dutch property.

4th. Mr. Grand returned. He delivered a letter from Mr. D. to Dr. F., in which he informed him that he should stay a day longer at Fontainebleau, without any notice of the other commissioner. Mr. Grand's message was, that the king had agreed to let us have three millions of livres, at different payments, on consideration of most profound secrecy, that we should not enter in any accommodation without informing him, and that if that took place before the money was all paid, the remainder should be withheld. The minister told him that they would endeavour to obtain as much from Spain; that orders had been received there for sending supplies, but upon the capture of a French ship with Spanish property, by an American privateer, the king was so enraged that they were countermanded. He advised us to write a very civil letter to Spain, which he conceived would adjust every thing, because the king was as forgiving as he was violent. He said their navy was in great forwardness, but would not be ready till next spring. He also assured Mr. G. that it was settled to purchase the ship in Holland for the king's use. Upon Mr. G.'s applying to Mr. Sartine, he wrote him an equivocal answer, and upon a second application the purchase was acknowledged.

5th. Mr. Lee undertook to answer the letters from Rotterdam, and Dr. F. to draw up one for Spain.

6th. Mr. G. waited on the Spanish ambassador, whom at Mr. Lee's desire he mentioned Mr. Lee's commission for the court of Spain, and desired his advice whether it should be announced immediately. He said that would depend upon there being new instructions with it ; which Mr. L. afterwards informed him was not the case. He said he was very well satisfied with what he had seen in the dock-yards ; that he would go to Fontainebleau next day, and on his return give us more particular information relative to his court.

8th. Dr. F. and Mr. D. being to dine with Mr. L. he wrote to Dr. F. in the morning, desiring him to bring the letter for Spain with him, that they might consider and sign it ready to be sent on Monday the 10th. A rough draught was brought, and left with Mr. L. to consider. Mr. L. received a letter from Madrid, to inform him that a plan had been settled for supplying the states with goods, but to what amount, or when it should begin, was yet undetermined. He communicated this letter to the other commissioners, with his intention to order ten thousand blankets to be shipped immediately, which he would pay for out of the Spanish fund.

9th. Met the commissioners at Passy, when they considered the letter for Spain, with the alterations proposed by Mr. Lee, and Dr. F. was to have it copied. The answer to Rotterdam was also to be copied. Mr. L. had drawn up an admonition to the captains of armed vessels to be sent to the courts of France and Spain, and by them to the sea-ports, in which they were enjoined to be cautious of molesting neutral ships, without sufficient proof of their having the effects of the enemy on board. Mr. Deane objected to sending this, because he said Mr. Gerard had talked with him at Fontainebleau, and contended, that according to the settled law of nations, a neutral ship had a jurisdiction like the realm of her sovereign, which protected all property in it. Dr. F. and Mr. L. were of opinion that this was not the law of nations, but matter of convention ; and which, if they conceded it, would be giving up one great inducement to

the courts of Bourbon to enter into that commercial alliance they were ordered to negotiate, and in which that protection was to be allowed.

Mr. G. re-delivered Mr. L. a letter, which Mr. L. had received from London, acquainting him that the jesuit who was hired by the British court to forge the letters called Montcalm's, was disgusted, and might be bought over. This he sent to Count Vergennes, whose answer was, that the jesuit was a worthless wretch. The same letter contained farther observations on the proposed negotiation, of which mention is made before, and stated that the British cabinet was so irresolute, that nothing could be expected. Mr. L. desired Mr. G. to write to Vienna for intelligence concerning the manœuvres of Haldimand and Fawcett, that by comparing the intelligence through different channels, they might arrive at more certainty.

12th. Being at Passy, Mr. L. found that the letter to Rotterdam had been sealed without his signing it. Mr. Deane's excuse was, that he was going to send it to me, but Dr. F. said, as the letter to which it was an answer was directed to them only, it was not necessary for Mr. L. to sign it. The captains Thomson and Hinman were there, but had neither been directed to wait upon Mr. L., nor were introduced to him. Mr. D. not having informed Mr. L. what was determined at Fontainebleau, relative to suspending the orders against their being allowed to ship ammunition, Mr. L. asked Mr. Chaumont whether he was present with Mr. D. at Mons. de Sartine's? Mr. Chaumont said Mr. D. did not see Mr. Sartine at all; that he, Mr. Chaumont, negotiated the business, and that the answer was, when the ship was under sail, the ammunition must be smuggled on board.

Mr. L. sent to Mr. Dumas extracts from the notes of congress, relative to the maintenance and humane treatment of the prisoners, with directions to publish them, as he had done the report to congress of the cruelties committed by the royalists, which Mr. L. had sent him before.

13th. On going to Passy, Mr. L. found an *édor*, ~~ment~~ had been made the day before with the captain Thomson and Hinman, of which he thought they were not apprised. The captains reported that they could be ready in twelve days after their return, to put to sea; that they had sold their prizes for £9500, except the arms, artillery, and ammunition, which was 3000 less than their value, but that they were free of all risk; that the continental part would be sufficient to pay all expenses of completing and refitting the frigates. They said congress had appointed a naval board at Boston, for New-England, to consist of a deputy from each New-England state; that the 74-gun ship now building would be launched in the summer. The frigates could carry no goods, but would serve as convoy. The eastern ports they thought the safest.

16th. Capt. Thomson delivered Mr. Lee, according to his desire, a list of such articles as would be most useful in the marine department. Mr. L. proposed to introduce the captains Thomson and Hinman to Capt. Boux, that they might consider and give their opinions of his plans.

17th. Mr. L. went to Passy, with a draught of an answer to a letter from Mr. Sayre to Dr. Franklin, complaining of the hardship and injustice of his not having been provided for, when he had remained at the court of Berlin, and done honour to the American cause, which he should be obliged to abandon and return to London, if we would not support him. The answer was that Mr. Lee had advanced him 2000 livres before he left Paris, had paid his expenses to and at Berlin, and informed him when they parted, that no support was to be expected from the commissioners, which he had repeated since his return to Paris, as the sense of the whole commission, and that his assuming a public character was unwarrantable, which he was advised never to do again. Dr. F. was to have it copied for signing. A Capt. Wells, who had commanded an American privateer, and broke out of ——— prison, at Portsmouth, dined with Mr. L., and told him that Mr. Deané and Mr. Chaumont

or, the proposed to employ him in a private concern. Mr. ~~van~~ ~~ren~~ ~~be~~ told him that, as he had for some time been maintained at the public expense, his services were due, first, to the public; that the frigates were in want of men, and that though he could not get an adequate birth, yet his serving as a volunteer would get him a passage to his own country, and entitle him to ask for rank in the service. Mr. L. wrote to Dr. F. enclosing him a letter from a person who had intimated a desire in the British ministry to treat secretly with the commissioners of an accommodation. The letter stated that the ministry were informed from Paris, that Dr. F. and Mr. L. were at variance, and therefore it would be in vain to treat; that their honour must be saved by the overture coming from the commissioners, and they must be assured of their power to treat, and that the intended terms were such as they might accept with satisfaction. The answer Mr. L. wrote to Dr. F., as what he meant to return, was, that the variance did not exist, that they had neither instructions nor inclination to make overtures; that the honour of the ministry was their own affair, and that they who were most in need of accommodating, must make such propositions as would be satisfactory.

N. B.—A letter from Mr. Williams, at Nantes, was shown to Mr. L. some days after the receipt, as was the custom, to inform the commissioners that the Lion was stopped, by an order from the minister.

17th. Received a letter from Baron Schulenburg, expressive of the king's surprise at our having no despatches; his desire to hear of our success, and an assurance that the British would not procure any troops from Russia, Denmark, or Germany, except recruits for the regiments already in America.

18th. Wrote to Mr. Grand, desiring him to settle with the Spanish ambassador, an hour when I might see him; to Mr. Deane, desiring that he would inform those merchants in Spain who had received prizes, in which the public was concerned, to give an account of them to Mr. L., as the representative of the public in Spain; to which Mr. D. answered, that the prizes sent into Co-

runna were of little value, that Cunningham's half owned by the public, and that he should Mons. Leogans, at Corunna, on the subject. was sent at the same time to the commissioners, they would appoint an hour when Mr. L. might come to them to settle the letter, and to consider whether it would not be proper to send to the different ports in France and Spain, an admonition to American captains not to stop or molest neutral ships. This letter received no answer.

19th. Saw Mr. Grand, who told me that the letter for Spain had been given him, that he had proposed some alterations, which Mr. D. had undertaken to make, and that it was promised to have been sent him that morning to show to the ambassador, but he had not received it. He therefore begged I would hasten it. I communicated to him the letter from London, touching an accommodation and the answer I intended to write.

20th. In going to Passy, in order to hasten the letter for Spain, I met Dr. F., who told me it was already sent, and that it was determined that the despatches should go off immediately on receiving the king's speech. In this determination Mr. L. had no part, but in this, as in many other things, they seemed to like Dr. F.'s idea, that the majority formed the commissioners, according to the letter, and that therefore it was not necessary to ask my opinion. I had before proposed the detaining Capt. Young, to carry the speech, and the answer was that it was unnecessary, as there would be other vessels going about that time. Dr. F. appointed next day at ten o'clock, to meet at Passy on public business. According to appointment, Mr. L. waited on the Spanish ambassador, and informed him of his commission to the court of Spain. His excellency advised him to take no step in consequence of it, until a more favourable opportunity, for that business could be done with much more secrecy here than in Spain. Mr. L. then desired his opinion about preventing the ill impression which the unwarrantable conduct of American privateers might occasion in future, much of which might

prehended in the present young and unsettled state of governments. Whether it would be agreeable to L. told should write to all the ports, to warn all American captains who put in there, not to molest neutral vessels. The ambassador said he had mentioned that to Grand. That it was now the usage among European nations, to let an enemy's goods, unless contraband, pass free in neutral bottoms, and the same would be expected from the United States.

21st. Went to Passy, according to Dr. F.'s appointment, who was from home, and did not return till between eleven and twelve o'clock. Mr. D. showed him the letters relative to the cargo of the *Amphitrite*, as if Mr. Lee had not seen them, and when Mr. L. proposed to answer them, Mr. D. said he had already done that, in the name of the commissioners, because the express was in a hurry and could not wait; he was unacquainted with Mr. Lee's knowing this to be a pretence, as the letters had remained a whole day at Passy, and Mr. L. had read them before Mr. D. returned from his amusements in Paris. Dr. F. showed Mr. L. a letter from an officer at Bourdeaux, to Mons. de Sartine, containing a complaint from the captain of an English vessel, that the Portsmouth privateer, Capt. Hart, of Portsmouth, in New-England, that had refitted at Bourdeaux, had made prize of his vessel coming into the River Garonne, and sent her away to America. Mr. L. proposed, that in order to quiet the anger this had occasioned at court, they should add to their letter to Spain, and present a similar request to this court, to have the above privateer seized if she came into any of their ports. Dr. F. objected to it, as subjecting the captain to foreign jurisdiction, when he ought to be tried for it in America. Agreed to the addition of the Spanish letter, and directed it to be copied for signing. Mr. Gerard had called upon Mr. L. in the morning, with a letter from Count Vergennes, approving of the Spanish letter, provided Count d'Aranda thought it proper, but he said that our prizes could not be adjudged in their courts. Mr. G. mentioned, at the same time, that he had some time since given Dr. F. the

sketch of a plan for borrowing the two millions, of which he had heard nothing since. He had completed the plan and went to Passy, to communicate it; but Dr. F. being out he did not. Mr. Lee carried this evening the draught of a letter he purposed sending to the ports in Spain, to warn the American vessels from violating the rights of neutral nations.

27th Nov. The commissioners met to consult on their despatches to congress. Mr. D. began the discourse; he remarked upon the proceedings of this court, with a good deal of ill-humour and discontent, said he thought it was our duty to state the whole to congress, that things seem to be going very bad in America, they would be less provided for next campaign, and more pressed than ever; he therefore was of opinion we should lay before this court such a statement as would produce a categorical answer to the proposition of an alliance, or satisfy them that without an immediate interposition, we must accommodate with Great Britain. Dr. F. was of a different opinion; he could not consent to state that we must give up the contest without their interposition, because the effect of such a declaration upon them was uncertain; it might be taken as a menace, it might make them abandon us in despair or in anger; besides he did not think it true; he was clearly of opinion that we could maintain the contest, and successfully too, without any European assistance; he was satisfied, as he had said formerly, that the less commerce or dependence we had upon Europe, the better, for that we should do better without any connexion with it.

Mr. Lee was against any such declaration, lest it might deprive them of the assistance they now received instead of increasing it. He thought this court had acted uniformly and consistently with their declarations; that the violent things done were of necessity, and compelled by the bad conduct of our people; that we ought to instruct those who were going to America to avoid speaking with bitterness against this country, but rather to soften the resentment of others, arising from considering the injuries and not the benefits we had received from France; he

was of opinion that if the credit of their funds was maintained, all would go well ; he therefore proposed informing them that the commissioners had funded two millions of livres, to pay the interest of what they borrowed, or bills drawn upon emergent occasions. This with attention to sending the cannon, clothes, &c. which were ordered, would, it seemed to him, put them on much more firm and respectable ground than ever, and he saw not the least reason to despair of success. Mr. D. objected to reserving any of the money we received, and to the giving them any power for money here. He said the court had promised to enable them to pay the interest of what they borrowed, and that was enough ; for he knew if they were allowed to draw, they would never rest, till they had drawn for every farthing, and that as we were to furnish them with what was necessary there would be no occasion for it. Mr. Lee replied, that there was uncertainty in our supplies reaching them, and it might well happen that prevalent as the spirit was of sending adventures to America, they might make offers of these very necessities upon the spot, which it might not be in their power to pay for in produce, while their ports were blocked up, and which they might purchase by bills on Europe. Dr. F. appeared to agree with Mr. D. and it seemed settled, that they were to trust to the promise of the minister, for paying the interest of their debt ; though Mr. Lee observed that promise was vague and verbal, the minister who made it might be changed, and as it did not appear to be the act of the cabinet, it would necessarily fall with him, and they will in that case have drawn their constituents into the discreditable proceeding of drawing bills, which must be protested. He added that it was probable this minister might consider the sum now furnished, as a disengagement from his promise, it being much more than the sum stated in their estimate as necessary for the supplies.

The next day Mr. L. went to Passy, when Dr. F. showed him the draught of a letter to the committee, but some ladies being there, and Mr. D. not attending, he told Mr. L. that he would show it to Mr. D., and if there

were any alterations determined upon, Mr. L. should be informed of it. Mr. L. prepared his separate despatches for congress, and wrote to the Prussian minister at Berlin, an account which came through London, of the operations of the campaign, which seemed authentic. Sent bills upon Madrid to Mr. Gardoqui, to the amount of £70,000, to answer for the shipping ten thousand blankets immediately, which he was pressed to do without delay. Wrote to Mr. Digges, in England, to try to furnish necessaries to Capt. Nicholson, Johnson, and other prisoners to the amount of £50 sterling.

Dec: 1st. Mr. Moylan was sent to Nantes with the despatches to go by Capt. Young. After so much delay they were required to be signed in such a hurry, that no time was given Mr. Lee to read them. The commissioners gave Mr. Moylan a letter, promising to give him what public business they had to do in the port of L'Orient, provided he could connect himself there with some merchant able and willing to advance for the public as occasion should require. Mr. L. had transmitted to Mr. Gardoqui, at Madrid, an exhortation to the captains of American armed vessels, which Count Vergennes had approved of, against their violating, as was complained of, the laws of nations, by taking neutral ships and property, and those of the enemy within the protection of neutral coasts. The same was afterwards agreed upon by all the commissioners to be sent to the ports in France. Having received information, a Scots spy was sent down to L'Orient by the English ambassador; Mr. L. wrote to Commodore Thomson to warn him of it. The commissioners received information that the captain of the *Amphitrite* had been committed to prison by order of government, for having carried military stores to America, and that M. Beaumarchais had made a formal demand of the cargo as his property. Capt. Thomson wrote an account of very indecent behaviour to him, by the king's commissary at L'Orient. Mr. Williams transmitted to them Capt. Adams' affidavit of his having been taken within two leagues of Bellisle by the ———, and carried in a prize, to England. Mr. Lee had written to the Delaps, at Bourdeaux,

for similar affidavits, relative to captures made of American vessels in sight of the river. Mr. William Lee received information from Mr. Sweighauser, that the agent of the Farmers General demanded the duties on a quantity of lead, shipped last year on the public account, and on which it was promised that the duties should be remitted.

4th. Mr. Austin arrived with despatches from congress at Yorktown, in Pennsylvania, whither they had removed on the evacuation of Philadelphia, of which General Howe took possession the 26th of Sept. The express left Boston the 30th of Oct. and brought the account of the surrender of Burgoyne and his army at Saratoga, on the 17th, prisoners of war, after he had been beaten out of his camp entrenchments. And of the battle of Germantown on the 4th by General Washington, in which he was by mistake, in a fog, obliged to retreat, after having routed both wings of the enemy. The commissioners sent immediately an express to Versailles, and Mr. Lee wrote to the Spanish ambassador and the Prussian secretary of state, an account of this important news.

6th. Mons. Gerard, first secretary to Count Vergennes, met the commissioners at Passy. He said he came from the counts Maurepas and Vergennes, to congratulate the commissioners upon the news, to assure them of the great pleasure it gave at Versailles, and to desire on the part of the king any farther particulars they might have. He was informed that extracts were making from all the papers, which should be sent the moment it was finished; and Mr. L. promised to send extracts from his brother's letter, which contained some farther particulars. Mr. Gerard said they might depend on three millions of livres also from Spain, but he believed it would be through the Havannah and New-Orleans. He said as there now appeared no doubt of the ability and resolution of the states to maintain their independency, he could assure them it was wished they would reassume their former proposition of an alliance, or any new one they might have, and that it could not be done too soon; that the court of

Spain must be consulted, that they might act in harmony, and prepare for war in a few months. Mr. D. had sent Sir G. Grand to Versailles, with Commodore Thomson's complaint, without having shown it to, or consulted with Mr. Lee, from whom he also concealed the answer, which was a reprehension of the commissary, which he transmitted to the commodore himself, without communicating with Mr. L.; apparently to have all the graciousness of the business to himself. Dr. Franklin undertook to draw up a memorial, as Mr. Gerard desired, and Mr. L. was to attend next day to consult upon it; but, though so very short and simple, it was not finished till the 8th. Mr. L. read to the commissioners a letter he had drawn up to Lord North, complaining of the cruel treatment of American prisoners, and desiring a person appointed by them might be permitted to furnish the prisoners with necessaries, and that a general cartel might be settled. Some additions were made, and it was agreed to send an express with it to London.

8th. Signed the memorial to Count Vergennes, desiring an immediate consideration of the treaty that had been proposed, and sent it by young Mr. Franklin, with extracts from various American papers, relative to the operations against Burgoyne's army. Sir G. Grand remarked to us, that in a letter received from Count Vergennes, he did not style us "*vos armis*," as usual, but "*nos armis*."

9th. Meeting young Mr. Franklin at dinner, I asked him the answer to our memorial; none having been reported to me. He said he was received by the count himself with uncommon politeness, who told him an answer should be sent in two days, and he would then know how much he was disposed to serve the cause of America.

10th. Sent a copy of the memorial and extracts to Count d'Aranda, with a letter expressing my hopes that he would concur in expediting the conclusion of a treaty. Desired Sir G. Grand to mention to Count Vergennes, that a commissioner for Vienna and Prussia, one for Spain, and one for the grand duke of Tuscany, were here, and

would go to their respective destinations, when this court thought it proper. He was also desired to mention that a convoy for considerable supplies, we were about to send out, would be of great advantage to us. Letters from Nantes mentioned that strict orders had been sent down thither from government, to prevent the subjects of France from sending any goods whatsoever to the United States. This order appears to have been dated a few days before the arrival of the news of our success, with which not only the court, but all Paris, and all France, seemed transported with joy.

Received a note from Mons. Girard, that the court would see the commissioners at Versailles on the 12th, at 10 o'clock in the morning.

11th. Sir G. Grand reported that Count Vergennes thought it would not be improper for the commissioners to go to their different destinations; and desired him to call on Count d'Aranda, to consult him on the subject. Count d'Aranda's reply was, "I have two ways of thinking, one as Count d'Aranda; the other as the ambassador of my court. As the former I wish Mr. Lee, in whom I have the highest confidence, at Madrid; as the latter I may give no opinion till I receive orders." I do not add the many compliments he had the politeness to make in my favour to Sir George. But it gave me great pleasure to find that he was not offended with me as the cause of his being reprehended by his court, as the Duke de Grimaldi informed me he was, for not dissuading me from coming to Spain the last time. Mr. L. answered a letter he had received from the Prussian minister of state, informing him that a commissioner could not yet be received in a public character at Berlin, and that he did not conceive that any additional light could be given to a plan of commerce at present. The answer was that Mr. W. Lee would not give unnecessary trouble, by coming in a private character, but would wait till his majesty thought his coming would be of use. Mr. L. also enclosed a copy of the extracts relative to the operations against Gen. Burgoyne, which had been presented to the counts de Vergennes and d'Aranda.

12th. My colleagues did not reach Versailles till half after eleven o'clock, when, upon sending notice by a servant to Mr. Girard, his servant came with a hackney coach, and carried us to a house about half a mile from Versailles, where we found Count Vergennes and his secretary. The minister made us some general compliments upon the present prosperous state of our affairs, and conversed some time upon the situation of the two armies. He said nothing struck him so much as Gen. Washington's attacking and giving battle to Gen. Howe's army. That to bring an army raised within a year to this, promised every thing. He asked Dr. F. what he thought of the war. He answered he thought we should succeed, and the English soon be tired of it. Mr. Lee said his excellency might judge what would be the event of the war, from observing that the most signal successes of the enemy were productive of their greatest misfortunes. Howe's advantages on Long Island, New-York, and New-Jersey raised a spirit that repelled him with considerable loss. The taking of Ticonderoga, and rapid progress of Burgoyne, had brought upon him a total overthrow. What hopes therefore could there be of a war, in which the most brilliant success allured them to their ruin. The fact was that nothing but a sense of pressing danger and necessity would draw forth the militia, in which the real strength of America consisted, and which when drawn out appeared to be irresistible. The minister took our last memorial from his secretary, and read it. He then desired we would give him the information it promised, and any thing we had new to offer. Dr. F. said that the entering into the treaty proposed was the object, and that if there were any objections to it, we were ready to consider them. The count said, that it was the resolution of his court to take no advantage of our situation, to desire no terms of which we might afterwards repent, and endeavour to retract; but to found whatever they did so much upon the basis of mutual interest, as to make it last as long as human institutions would endure. He said that entering into a treaty with us would be declaring our independency, and ne-

cessarily draw on a war. In this, therefore, Spain must be consulted, without whose concurrence nothing could be done. In the mean time he would state some objectionable parts in the proposed treaty. The twelfth article, and an additional demand of the monopoly of the trade to the islands of France and Spain, in the West Indies, could not be admitted, being an attempt to establish a right inconsistent with their sovereignty, and which could never be submitted to. Dr. F. said he believed the articles were incautiously worded, and that congress meant only those islands which might be conquered by their united arms, and ceded by the states to their allies. To this it was answered that neither could be granted, nor would it be demanded of us should we conquer Canada. Besides they had islands enough, and no interest in conquering more. Mr. Lee observed that it would be so far at least their interest, as it took them from the English; but it was agreed that those demands should not obstruct the treaty by being persisted in. The next objection was that Spain would not be satisfied with the indeterminate boundary between their dominions and the United States; for that the state of Virginia being supposed to run to the South Sea, might trench upon California. It was answered that the line drawn by the last treaty of peace with England, the Mississippi, would be adopted, and would prevent all disputes. For that, though its source was not yet known, yet it might be agreed that a line drawn straight from its source when found, should continue the boundary. This was admitted, as adjusting the matter properly. The article on tobacco was next mentioned, as what could not be altered, it being formed, and must therefore necessarily rest on its present establishment. With regard to the fishery it seemed that the concessions proposed were deemed sufficient, especially after having been informed that the source of difference between the French and English used to be about the drying-places, which could not happen with us, because of the three fairs or fishing seasons, two of them were dried upon our own coast, and the other was inconsiderable in that particular, the

fish being very little cured. It was, too, a first principle with us, that fishing was free to all. The conference ended with the count's observing that we must consider our independence as yet in the womb, and must not endeavour to hasten its birth immaturity. That he would despatch a courier to Spain, and it would be three weeks before his return. That the order for presenting clearances for the United States was recalled, and he would speak with Mons. de Sartine about giving us a convoy for our supplies. The demand of three ships of the line was mentioned, to which he answered that this was not the moment; and that, indeed, France had more occasion to buy than to sell ships. Mr. Lee informed him of his having sent a copy of the memorial, &c. to Count d'Aranda. He said it was well, and he should see him that day.

13th. Mr. L. informed Sir G. Grand that he was desired to call upon M. de Sartine about the convoy, on Monday.

14th. Wrote to Dr. F. and Mr. D. to desire their opinion relative to the ordering Mr. Gardoqui, at Bilboa, to ship immediately to the amount of 500,000 livres of naval stores, which he informed Mr. Lee were ready, and draw for it on the general fund. No answer. Wrote to Mons. Gardoqui to hasten the shipping of blankets. Mr. Grand the banker told Mr. Lee, that his brother was informed by the commissioners that the government had ordered one of their frigates to carry their despatches. Mr. L. had not been informed of this.

15th. Mr. L. having received no answer from the commissioners, wrote to them to say that he would be with them to consult upon that business at 12 o'clock. He had received an abusive answer from Mr. D. to a note written at the same time with that on public business. Dr. F. answered that he would be at home, and desired the letter from Spain might be brought. Upon going to Passy, he found the Dr. alone, who declined saying any thing upon the business, till they consulted Mr. D., which he said might be in the evening. They were all to dine together at the count M.'s; but Mr. D. sent an excuse,

and desired Dr. F. and Mr. C. would call on him after dinner, in town, where he had again taken up his lodgings, reserving those of Passy too, without any notice to Mr. L. Dr. F. having asked Mr. L. to go with him, they found Mr. D., who informed them that Mr. Girard had sent for him to give him information that the frigate was ready at Bourdeaux. The convoy which Mr. Sartine had agreed to give was one frigate, and this being deemed too weak, it was agreed to apply to him for more. The application was proposed for three frigates, but Mr. L. observed that if they should encounter a ship of the line and a frigate upon the American coast, they would be overmatched, and therefore it would be better to ask for one of the line and two frigates, which would be equal to any force there was a probability of their meeting. With great difficulty this was adopted, and a short memorial was drawn up for Mr. Sartine, and given to Mr. Chaumont to present to him. In talking of the ships to be convoyed, Mr. D. mentioned four, and upon Mr. L.'s enquiring what had augmented the number from two, which were all he had heard of, it appeared that Mr. D. had of himself chartered part of two vessels, belonging to Mr. Montieu, and as he said at five pounds sterling per ton, out. The Spanish business being discussed, the other two commissioners were against giving any money, because woollen goods were dearer in Spain than in Germany, or France, or England. This was not a question about woollen goods, but naval stores and tent cloth, ready there to be shipped off. This Mr. Lee showed them from the invoice next day, but to no purpose ; nothing could prevail to let the public money go any where, but in a certain channel. Mr. D. said it would be better to ship the naval stores from Sweden directly, upon which Mr. L. reminded him that Mr. Hellenais had last year offered to do that, with additional brass cannon, from the king's arsenal, he being the king's agent here, and stated the terms, which were unobjectionable, and yet nothing had been done, though these necessary articles might have been now in America, at the cheapest possible price, had not his proposal been rejected, with-

out any assigned or assignable reason, but that Mr. L. recommended it. Agreed to settle with Mr. Sabastier for 7000 more soldiers' uniforms on the 20th following.

18th. Mr. L. being at Passy, Dr. F. informed him that Mons. Girard had been there the day before with a message from the king, and the counts Maurepas and Vergennes informing them that it was decided in council to sign the treaty and maintain the independence of the United States, immediately upon the return of the courier from Spain, which out of respect for that court they must wait for. That if a war with England should be the consequence of this, his majesty desired no stipulation from the United States, but that if they made peace without his concurrence, they would not give up their independence. He repeated again that his majesty's fixed principle was never to desire what they might repent of having assented to, but to form a connexion so mutually beneficial, that it might be firm and lasting. It was however his majesty's desire, that this might be kept an inviolable secret; they were ready to begin a war, Spain was not, having an immense treasure now at sea, her fleet returning in a weak condition, and the treaty with Portugal not yet finished.

His majesty was thanked for his gracious intentions, and assured that a conduct at once so generous and wise, would secure the great object he had in view. It would have been more decent if the other commissioners had sent for Mr. L. to be present at this transaction. Mr. Girard alleged the long amity that had subsisted between France and the Swiss as a ground for hoping the same might take place with the United States. Mr. Carmichael informed Mr. Lee that he had obtained permission from Count Vergennes to go in the frigate which was to carry our despatches, and having obtained the concurrence of the other commissioners, desired that of Mr. L., which was given.

On the 20th Mr. L. received a note from Mr. D.'s brother, mentioning his design of going immediately to America, and upon enquiry he found the system changed, and that Mr. D. had been chosen to carry the despatch-

es, and Mr. C. was to go by Nantes. All this was done without the knowledge or concurrence of Mr. L. The day before it had been settled by all the commissioners, that as Mr. L. was to be at Versailles on Sunday, he should show Mons. Girard a letter from Capt. Young at Nantes, informing them of a British squadron, cruising off Bellisle, which prevented him from going out of port; together with a letter from Mons. Beaumarchais, demanding the cargo of the *Amphitrite* in payment for the supplies that went in her, and which were understood to be furnished by government as a subsidy. Saturday evening Sir G. Grand showed Dr. F. and Mr. L. a note from Count Vergennes, informing him that the frigate promised could not go, but that he hoped to supply another in a short time. As it seemed uncertain whether the frigate for the despatches or that for the convoy was meant, Mr. L. proposed to ask an explanation from Mr. Girard the next day.

21st. Mr. L. called at Passy, in his way to Versailles, and Dr. F. only being there, he talked over what he was to do, and among the rest the *eclaircissement* about the frigate, upon which the Dr. said Mr. D. thought it was the frigate for the convoy.

Mr. L. saw Mr. Girard, and upon communicating what is mentioned above, Mr. G. expressed himself much surprised that there should be any doubt about the frigate's going with the despatches, when he had sent the ministers' despatches to Passy the day before, which he would not have done if the vessel was countermanded. He desired we would pay no attention to notes written to Sir G. Grand, but to official information. With regard to Mons. Beaumarchais, he said not knowing what agreement Mr. Deane had made with him, they could not judge of the propriety of his demand, but that it would be better for Mons. B. to state his demand, and the ground of it, to the commissioners, and upon their sending it to Count Vergennes, he would determine whether they were to pay it. Mr. L. said he never heard of any agreement made with him. As to the English squadron, he said he understood that orders were already given for a squad-

ron from Brest, to form such a line of cruising from Bellisle to the Land's End, as would keep the English at such a distance, that the merchant vessels might pass and repass in safety, from the ocean into the French ports; it being the rule, that the English ships could not cruise between the French shore and the French flag. He affirmed, that the note to Mr. Grand was not intended to be shown to us.

The weather being too bad to get to Passy in a carriage, Mr. L. wrote to the other commissioners what had passed. He received in answer, from Dr. F., that the despatches would go next day at 10 o'clock; and the general letter, with duplicates of the agreement for the iron cannon, signed by the other two, were sent him to sign, which he did, though there were some things in the general letter very objectionable; but as Mr. D. seemed very desirous of turning the dispute between him and Mr. L. into one between Dr. F. and Mr. L., he was determined to wink at small occasions of difference.

22d. Went to Passy. Young Mr. D. not yet gone; gave him a letter for Richard Henry Lee. He said his directions were, not to let Mr. Delap know he was at Bourdeaux. Mr. Deane being busy, Mr. L. talked over with Dr. F. what passed at Versailles, but no reason was given for concealing from him, that the government despatches were received. He was at Passy both Saturday and Sunday. The communication would not only have been decent, but would have prevented him from asking a ridiculous question of Mr. Girard. In the evening Mr. Lee visited Mr. Commissioner Izard, who asked him if he had heard any thing of a proposal to the commissioners, within a few days, from England. Mr. L. said no. He replied "then you are ill-treated, and you ought to call Mr. D. to a severe account for his conduct; for that Paul Wentworth had a meeting with Mr. D., to whom he made propositions, which Mr. D. gave to the French ministry." Mr. L. said he had not heard one syllable of it; that he would enquire into it; but that being a public wrong, he could not resent it personally. Dr. F. had mentioned to Mr. L. both Sunday and this day, that

Dr. Bankcroft was expected from London, for he had written on the 9th, that he should set out in a few days; that he, Dr. F., was therefore apprehensive that he was seized. Mr. L. said this was the first time he had ever heard of his being in London, and it was a little surprising such a step should have been taken without his knowledge, if Dr. Bankcroft was in any office of trust under the commissioners, and if he was not, he could not understand why he had access to their papers, and even had the key, which Mr. L. had repeatedly asked for in vain.

23d. Mr. L. went to Passy at 12 o'clock. Dr. F. out, and Mr. D. just come in. Nothing ready for considering or signing. Mr. L. asked Mr. D. whether a Mr. Wentworth was in town, and whether he had seen him? Mr. D. said Mr. W. had desired to see him, that he knew little of him, and that he expressed a desire for accommodation, and to know upon what terms it could be obtained; for that he thought the ministry in England were disposed to it. This was all he communicated upon the subject. Mr. L. mentioned that Mr. Ross had written to him for his concurrence in the sale of Cunningham's vessel, which Mr. D. had ordered Mr. Hodge to make; at which he was surprised, and on the propriety of which he could form no opinion, having never seen any account, nor been informed of any thing relative to that transaction at Dunkirk. Mr. D. said Mr. Hodge had given in his account, which was not very methodical, but it might be seen, when we would examine it. Mr. L. took that occasion to mention that Mr. Austin was now here, had desired to be employed, and would be a proper person to make out their general account, which had been so long delayed. Mr. D.'s answer was, he intended to make it out himself; and that for the future we must appoint some one to execute the orders of the committee, for he did not choose to take the trouble any more. Mr. L. said he supposed it was meant to appoint a contractor general; but that if they were to pay M. Beaumarchais, they would have very little to lay out. To which Mr. D. replied, there are three millions to come from Spain.

That, said Mr. L., is to be remitted to America. But we can draw for it, said Mr. D.

Mr. Carmichael was at Mr. Deane's. He came and dined with Mr. Lee, and mentioned his being deprived of going in the despatch frigate, which had been promised him. Mr. Lee said he had never been consulted in it, nor knew any reason for it; that a commissioner's brother was certainly entitled to the preference in carrying the despatches, but he did not comprehend why that should prevent another gentleman from going. Mr. Franklin the younger, put into Mr. Lee's hands a letter from Mr. Carmichael, dated Dec. 21st, informing him that he had given in his account to Mr. D. of the money disbursed on the public account.

24th. Mr. D. having mentioned that there were letters which pressed for answers, it was agreed to meet next day for that business. When Mr. Lee went accordingly to Passy, he found Mons. de Beaumarchais and Dr. F., Mr. D. not coming, nor sending any excuse. Mons. de B. came to demand the cargo of the *Amphitrite* as his due, for the freight which he had paid out and home. He grounded his demand upon an agreement signed by Mr. Deane, styling himself agent for congress, before we were appointed commissioners; and upon his repeated assurances that remittances should be made to reimburse him. The agreement he showed us. Dr. F. and Mr. L. assured him that there was nothing they wished more, than to do justice to him; that the cargo of the *Amphitrite* had been consigned to them, and they had accordingly ordered it to be sold, before they knew of his claim, for that Mr. D. had never informed them of any agreement he had made, and this was the first moment they knew of the paper he now showed them; upon which, it being clear that his claim was good, they would immediately order the cargo into his hands, which they did accordingly. M. Beaumarchais showed them Barrard's letters, in whose hands the cargo was put, informing him of his having drawn upon him for the remainder of the freight, and that the commissioners had ordered him to apply the proceeds of the cargo to reimburse himself for

money laid out on two continental frigates. The commissioners declared that they had given no such order, nor had any reason to expect there would be any charge for the frigates, as the captain had told them the amount of the prizes would be more than sufficient to pay for their repairs. Mr. B. desired a day might be appointed to prove his demands upon us, for the supplies sent in the *Amphitrite*, *Seine*, &c. &c. He said they were bought with his money; that he received repeated assurances from Mr. D. of returns being made, but had received none; and the only one, the cargo of the *Amphitrite*, had been denied him. He had sent over his account therefore to congress, and a person to solicit the payment of it, being on the edge of bankruptcy for his zeal and services in our cause. The commissioners answered that Mr. D. was under no appointment from congress till they came; that he never informed them of any agreement or assurances made, not even on the receipt of his last letter, but suffered them to remain in total darkness about the whole, which they would be glad to have cleared up. That they had on the contrary repeatedly understood, that they were not answerable for those supplies, and had so informed congress. Tuesday was appointed for an explanation of all this. Mr. D. not coming, no business was done.

25th. Received a note from Mr. D. in the morning, saying business had prevented him from attending the day before, but that he would attend to-day. Mr. L. answered, that he would attend at 12 o'clock. When he came there he found a letter from Mr. Delap, addressed to Messrs. Franklin and Deane, informing them that he would send the depositions they had wrote for; and that an American captain had been imprisoned at the suggestion of some of Lord Stormont's agents, who had seduced some of his sailors, and tampered with others. The commissioners sent the letter to M. Sartine, and Mr. Chaumont was desired to know when the convoy would be ready. Capt. Nicholson's instructions were deferred for that answer.

Attending at Passy, Sir G. Grand showed us a memoire
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from Capt. Boux, intended for the minister, recommending war. Mr. L. asked Sir G. whether Count Vergennes did not tell him, that we were not to pay for the stores sent by Mr. Beaumarchais; he replied, yes, when he was here last, but now he said he would not meddle with any thing done by that adventurer. Company there, and no more business done.

26th. The commissioners wrote to Count Vergennes for leave to appeal from the judgment of the court of admiralty, at Nantes, by which two West India prizes were confiscated, and to be restored to the English.

27th. Mr. L. being sent for to Passy, in the evening found Mr. D. alone, who told him he had received an answer from Mr. Girard (to whom he had written a private letter with that of the public) when he was in bed in the morning, by which we were encouraged to make the appeal. That not a moment was to be lost, but we must send an express to Nantes; and he proposed Mr. Carmichael. I observed that if the least suspicion of our design got out, the prizes would be carried off before we could stop them. That Mr. C. going down was very likely to excite suspicion. That therefore it was better to send Mr. Chaumont's servant, who could get there much sooner, and might without suspicion deliver a letter to Mr. Montandouine, who, with Mr. Williams, were all that ought or could conduct the business; more persons meddling, especially a stranger, was more likely to mar than promote the business. Mr. D. replied that it was not a business to be delayed upon punctilios, and that Mr. C. would give weight to it. Mr. L. said that what he proposed was to expedite, not delay; and that he considered their letters would have as much weight as Mr. C. Dr. F. and Mr. Chaumont coming in, the decision was left to them. The Dr. acquiesced with Mr. D., and Mr. Chaumont thought as Mr. C. was going down at all events, that he would save us the expense of a despatch. It was agreed therefore that he should go, and immediately Mr. D. said to Dr. F., he must have money, sir; to which the other assenting, 500 livres were given Mr. Carmichael, and a short letter from us, with

another from Mr. Chaumont, to Mr. Montandouine. It came out, that Mr. D. had previously settled the matter, and the horses and carriage had been ordered to attend, so that consulting me was as usual a mere farce. It was indeed clear, that the whole was a plan of Mr. D.'s, to make up with Mr. Carmichael, at the public expense, for the affront of turning him out of the despatch frigate, in favour of his brother.*

Dr. F. being indisposed, all farther business was put off till next morning, when Mr. D. said he had something pressing to communicate from Mr. Girard.

28th. Received a note that Dr. F. could not attend, and put off the meeting till next morning. Wrote to Baron Schulenburg, and to London, about the prisoners, and to press for an immediate communication of the plan for next campaign.

29th. Count Lauregais called on Mr. L. and told him that Mr. Beaumarchais had said he had a demand of five millions from the commissioners, for the stores he had sent out. Mr. L. asked the count whether he did not recollect being at his chambers in the temple, when Mr. Beaumarchais told him the government were to furnish cannon, ammunition, and money, to America; he answered that he remembered it perfectly well. Mr. L. desired him to go with him to Passy, and inform the other commissioners of it. He agreed to tell it to Dr. F. but not to Mr. D. who, he said was too much linked with Mr. B. They went to Passy accordingly, and he communicated it to Dr. F. Read over some letters from London and Nantes. Mr. Ross complained that his letter had not been answered. The person they had sent to London wrote them that all the great men in opposition; except the Duke of Richmond, were against the acknowledging our independency, and that a Mr. Vansandt had betrayed his letters to the ministry for a bribe of £500; we were just going to separate when Mr. L. asked Mr. D. what he had to communicate from Mr. Girard. He said it was that Mr. G. being directed to form a plan of a

* Mr. Williams wrote us in return, that the ship in question had sailed eight days before.

treaty on the French part, he wanted to see our powers and our instructions, and that the article of binding themselves to assist in taking Canada, could not take place. Mr. L. said they had already a copy of their commission and of their general instructions, that secret instructions were never shown, and ought not to be demanded, and that he did not understand settling articles with the ministers' secretaries, in which what they agreed to was binding, but not what he assented to, having no authority to bind the court. Mr. D. said he was an important man, and we must not stop the negotiation by punctilios. It was replied, that it was no punctilio, but an essential form, from which there appeared no necessity for their receding, nor had they power to recede. Wrote to Spain to accelerate supplies from Bilboa. Sir G. Grand informed the commissioners that Count Vergennes had directed him to tell us that orders were given for paying us £750,000 the 1st of February, which should be repeated quarterly, till the three millions were paid. Mr. Chaumont said the convoy would be sent to Nantes, but the time not yet fixed.

30th. The commissioners consulted at Passy upon what Mr. Deane, who had taken upon himself to go several times to Versailles, and hold conferences with Mr. Girard, should answer to the difficulties about the eighth article of the treaty, which Mr. G. and Mr. D. took to be a demand on France to guaranty Canada, Nova Scotia, Florida, and the adjacent islands, to the United States. Mr. Lee observed that the article had two objects; one to prevent France from taking possession of any of the places specified, the other to leave them at liberty to confederate themselves with the United States. This being neither the demand of guaranty nor of possession, on the part of the United States, he conceived upon re-consideration it would appear a just, necessary, and indispensable article. Dr. F. being of the same opinion, it was settled that Mr. D. should so state it to Mr. Girard. Dr. F. and Mr. L. being also of opinion that their instructions ought not to be shown, Mr. D. was advised to mention so much of them as he judged ne-

cessary to remove Mr. Girard's difficulties, but not to put the paper into his hand, nor even allow him to cast his eye over it. Mr. Chaumont was to accompany Mr. D. The commissioners received a letter from Mr. Williams, at Nantes, desiring £200,000 more, the half million being expended, but no account how. Mr. L.'s situation in this affair was extremely distressing. Endeavours he knew had been used by Mr. D. and C. to make Dr. F. his enemy, by insinuating that Mr. L. did not wish well to Mr. Williams, in whom Dr. F. was wrapt up. If therefore Mr. L. refused to agree to the giving him such immense sums unaccounted for, it would corroborate their suggestions, and operate to their wish upon Dr. F.'s mind, already prejudiced. Neither would it prevent the money being given, the two others being competent, and in the practice of disbursing the public money. Mr. D. therefore, by his ready compliance, would make it a means of fastening himself more firmly in the mind of Dr. F., and of effecting, what was his great object, an irreconcilable breach between the Dr. and Mr. L., and yet it was a most serious consideration, that a young man, without a shilling of property, was thus in a few months to be entrusted with upwards of a million of livres of the public money, of which all the account rendered was, that he had expended it.

31st. Neither went to nor heard from Passy. Wrote letters to the governor and some of the council of Virginia, and sent the resolution of congress for giving British vessels and cargoes betrayed by their crew to them, in return for a similar practice on the part of the government of Great Britain, with directions to have it communicated to all the British crews at Dunkirk.

1st January 1778. Being at Passy, I mentioned to Dr. Franklin that Mr. Stephenson was going to America, and wished to carry our despatches, and that I knew him well, to be a trusty and respectable man. Dr. F. said it was very well; he might carry them, and they should be glad of it. Mr. D. coming in Mr. L. repeated what he said relative to Mr. S., and Mr. D. also consented. Nothing more passed on the subject. There

was some conversation about Mr. Beaumarchais. Mr. D. seemed unacquainted with any agreement with him, and Dr. F. expressed his surprise at a mode of proceeding, by which money was demanded of them for goods which they never ordered, and a person sent to congress to demand payment for the supplies, which they had been repeatedly assured were given, and for which they had returned their thanks, and apprised congress of that assurance.

5th. Closed and delivered the despatches to Mr. Stephenson, who informed him that in answer to a letter from him to all the commissioners, Dr. F. and Mr. D. had wrote him that they never said he should carry the despatches, for that *they* had engaged Mr. Carmichael to do it. To this he replied, that Mr. L. had told him so, and he had understood the same from Mr. D.

6th. Went to Passy, where he found Dr. F., but Mr. D. did not attend. The servant that accompanied Mr. Simeon Deane, with the despatches to Bourdeaux, was returned, but the Dr. said he had not seen him. The Dr. told him Sir Phil. Gibbes had been there to sound him about propositions of peace, to which he replied ~~we~~ had none to make, the many which congress had made were treated with contempt, and that the dependency of the colonies was gone forever, like the clouds of last year. Mr. L. said, in his opinion, propositions might be made, and those very concise ; pay us for the damage you have wantonly done us, and let us alone ; these he conceived were the only terms on which they could hope for a cessation of hatred and hostility. In going to town Mr. L. overtook Mr. D.'s servant, who had been to Bourdeaux, who informed him that the frigate sailed with the despatches on new year's day.

8th. Mr. Thornton whom they had sent with the letter about the prisoners, arrived. He had visited the prisoners, found their situation very miserable, had ordered an increase of their daily allowance, and understood that both the ministry and the committee of the subscribers had ordered them necessary clothing and covering. He said Lord North told him he was informed that Dr. Bank-

croft was in London, and had been sent by the commissioners on a stock-jobbing scheme. Mr. L. said Dr. B. was so far from being sent by him on any such errand, that he never knew he was gone, till Dr. F. told him he had written upon a news-paper that he should return in a few days. Dining at the same place with Dr. F., he told Mr. L. that the courier to Spain was returned, and Mr. Girard had written to Mr. D., who was gone out to Versailles. In the evening Mr. L. received a summons from Mr. D. to meet Mr. Girard, at Mr. D.'s lodgings; when he got there Dr. F. was not arrived. Mr. Girard told them that three 74-gun ships, with two frigates, under the command of Mons. de la Morte Piquet, a very sensible and spirited officer, was clearing the coast of the English squadron and cruisers. Upon Dr. F.'s arrival, Mr. Girard informed us that he came from the king, and the Counts Maurepas and Vergennes. But before he delivered to us what he had in charge, he desired our parole of honour, to observe the most profound secrecy. We each of us promised it; but Dr. F. added some insinuation that secrets were not kept on their part, of which Mr. Girard took no notice, but went into a somewhat tedious harangue, which closed with asking us three questions. 1st. What would be necessary on the part of this court to satisfy the commissioners of their attachment to the cause of America, and prevent them from listening to the propositions of Great Britain. 2nd. What would be necessary to satisfy the congress and people of the United States, and prevent them from acceding to the propositions which Great Britain might send to them. 3d. What assistance would it be necessary for France to give them.

The commissioners appearing to think it required some consultation before they could give answers, Mr. Girard proposed to leave them together, and return in an hour, which he did. Dr. F. began to write, and the other two to talk. Mr. L. said their instructions seemed to furnish them with proper answers. They were sent to negotiate a treaty with France, and the immediate conclusion of that would answer the two first questions; as the grant-

ing them eight ships of the line, for which they were instructed to solicit, would the last. Mr. D. objected to the latter as dictating to them; to which Mr. L. replied, it could not possibly be deemed dictation to answer a question, which they to whom they were sent had asked, in the manner in which they who sent them had directed. Mr. Deane then said, that some people had been foolish enough to censure their having ordered the sale of prizes out of the commercial agents' hands, for which censure there was not the least reason; and the commercial agents had protested the bills drawn upon them for the repairs of the Raleigh and Alfred at L'Orient. On this Mr. L. observed, that the sale of prizes was the only source of funds which the commercial agents could have, no remittances being made; and the depriving them of the means of paying, and then drawing upon them for payment, especially for repairs, which we, not they, had ordered, was unmercantile and unjust. Mr. D. was going to reply, when Dr. F. said our present business was to consider the answers, which he had written down, and would read to us. This he did as follows.

Question 1. What is necessary to be done, to give such satisfaction to the American commissioners, as to engage them not to listen to any propositions from England, for a new connexion with your country?

Answer. The commissioners have long since proposed a treaty of amity and commerce, which is not yet concluded. The immediate conclusion of that treaty will remove the uncertainty they are under with regard to it, and give them such a reliance on the friendship of France, as to reject firmly all propositions made to them of peace with England, which have not for their basis the entire freedom and independence of America, both in matters of government and commerce.

Question 2d. What is necessary to be done, immediately, so to satisfy the congress and people of America with the utility and certainty of the friendship of France in securing their independence, that they will also reject all propositions from England for peace, inconsistent with their independence?

Answer. The supplying them with money to pay the interest of the bills issued and support their credit, will give them effectual assurance of the friendship of this court; and the sending them the aid of eight ships of the line, which they have desired, would enable them to protect their coast and their commerce, and thereby prevent the inclination or necessity of listening to terms of accommodation with England.

To the first answer the commissioners agreed; and two to the second, with the addition of the word 'necessity,' proposed by Mr. Lee. But Mr. D. began to object to the second, without offering any thing material, when Mr. Girard returned. The first answer was read to him, with which he professed himself satisfied. As to the second, Dr. F. told him we were talking upon it when he came in. He said it was agreeable to him, if we chose it, to defer our answer to another time. He then added, that he was now at liberty to inform us that it was resolved to conclude that treaty with us immediately, for which he was authorized to give us his majesty's parole. That farther, it was determined to enter into another treaty offensive and defensive, to guaranty our independency, upon condition of not making a separate peace, or relinquishing our independency; that he had been ordered to draw up these two treaties, which he expected to lay before the council the next day, and of which he would send us copies in a few days. He said the king was not actuated by ambition, or a desire of acquiring new territory, but solely by the desire of establishing the independency of America. That therefore they could not agree to the proposition of assisting us in conquering Canada for us, and the English islands for them. Neither was it their idea of assisting us by land; and they supposed it would not be very agreeable to us to have foreign troops in our country. Their aid therefore would be by sea. Mr. L. asked him if he thought it proper that Spain should be moved at all. He said that court had not come to a resolution yet, but this would go on alone, reserving to them a right of acceding to the treaties; and they believed they could for some time do with-

out them. That if their object could be secured without a war, it was their wish; but their resolution was to secure it at all events. Mr. Girard added, that he was happy now to congratulate us upon the affair being brought to the point he always wished, and he hoped the connexion would be as durable, as the terms were mutually beneficial.

18th. The commissioners met Mr. Girard by appointment, at Mr. Deane's house. He read to them the plan of an eventually offensive and defensive treaty of alliance, which he said it was necessary to make eventual, as they would not seem to take for granted, that their entering into a previous treaty of amity and commerce, was any just ground for a war with England. But as this consequence might flow from it, they thought themselves justified in providing against it. He gave both this, and that of a treaty of commerce, in French, exacting a promise that we should return him the originals when we had considered them; and that they were ready to conclude them as soon as we were prepared. Dr. F. took them to consider that evening, and was to give them to Mr. D. next day, who was to deliver them to Mr. L. and then they were to meet and discuss them together.

20th. Employed in copying the treaties, not thinking it proper to trust them with a secretary.

21st. The commissioners met at Passy, and began to examine the treaties, article by article. Mr. L. proposed that "sovereign" should be added to the United States, that the acknowledgment of their sovereignty might not be matter of future doubt and discussion, as was that of the states of Holland, till the year 1648, and of the Swiss cantons till their late treaty in 1777, with France. His colleagues did not think with him, because they said congress themselves had not inserted that in the style and title by which they had determined to be called. He then observed that there was no explicit disclaimer on the part of France, to all the continent, and to the islands appertaining to the fishery, which were part of the British possessions, and which the states claimed in the 9th article. It was also stipulated that if the states

conquered them (and not mentioning Cape Breton) they should possess them; but it was not said that France should not attempt to conquer them. And there was the more reason to suspect some design upon them, because there was a formal renunciation of ever possessing any part of the continent, but nothing said of the islands. Mr. L. thought, therefore, that an article should be prepared, mutually and explicitly renouncing those territories, which were pointed out as objects of conquest to the respective parties. This they thought right. His next observation was that the last article held out a temptation to the English to keep the whole force of the war upon America, and leave France unattacked, for it was only upon the condition of France being attacked that she guaranteed the independence and possessions of the United States. The English, therefore, upon seeing the two treaties would naturally say, if we take them one by one, or if, by bending our whole force against the Americans, we can reduce them, the treaty is void. France too on her side would rest secure, that, without any risk she would enjoy, under the commercial treaty previously concluded, the commercial advantages which were all she professed to aim at, which America by her own efforts could obtain for herself. Mr. L. thought, therefore, that the commissioners ought to endeavour to have that article entirely omitted. Dr. F. proposed an additional article, which he thought would correct it, and that was that France should pay the United States a million sterling in subsidy, yearly, as long as the war continued against them alone. Mr. L. said that this might assist them, but it would not prevent the continuance of the war from being fatal to America, by the devastation of their country, the exhaustion and vitiation of their young people. That without the aid of the eight or ten ships of the line, which they were instructed to demand, it would be impossible to protect their coasts and their commerce, so as to procure the necessary supplies, for so heavy a war. Dr. F. said he thought it would be for the benefit of America to have the whole of the British commerce to prey upon. But Mr. D. was

of opinion that the American navy was diminishing, rather than increasing, and that under the continuance of the war solely against them, the necessary supplies for constructing a navy could not be procured. To which Mr. Lee added that it seemed an attempt disproportioned to their infant strength, and more likely to overwhelm than to uphold them. In the treaty of commerce Dr. F. observed, that in the 4th article the exemption of the payment of extraordinary imposts was confined to his most Christian majesty's dominions in Europe, so that in the East or West Indies the subjects of the United States would be subject to discretionary impositions, and that therefore the words "in Europe" should be left out. This was agreed to. In the 5th article Mr. L. thought there was no reciprocity. Americans were subject to pay a duty of 100 sols per ton, if they went from one French port to another, which was not and never was likely to be the case, with French vessels going from one port in the states to another. It was said, indeed, the states might lay such a duty, but till they did it or had it in contemplation, the French ought not to do it. When the treaty of Utrecht was made there was a similar duty on the French commerce in British ports, and it was agreed they should be mutually removed. Upon the same ground of reciprocity what did not exist in the United States, should be removed in the dominions of his most Christian majesty. On the 9th article Mr. L. observed that the exercise of fishery was given exclusively to the French within their own precincts forever, but to the Americans not longer than they should not admit any other nation; so that the French were permitted to communicate their rights to any other, without thereby admitting the Americans, but the same was not permitted to the people of the United States, which was evidently unequal; it was proposed therefore to amend it by substituting "*aucune des parties contractantes*" for "*les etats unis.*"

22nd, Mr. L. was at Passy at ten o'clock, agreeably to appointment. Mr. D. arrived at 12 o'clock. In the mean time Dr. F. was translating the defensive treaty,

and his grandson copying the other. It was determined that we should return a translation of each with the originals, and that we should give in our objections and additions in English, and that upon concluding the treaties the French and the English should be put opposite to each other. Dr. F. read the additional article relative to a subsidy, to which Mr. L. desired that ships of war might be added. Mr. L. showed the other commissioners that the expression in the treaty with the Swiss cantons was, "*que le corps Helvetique conserve son etat actuel de souveraineté absolue, et de parfaite indépendance,*" which he wished might be the guaranty of the present treaty, as being most clear and unequivocal. Some doubts arising about what islands were included in the Gulf of Mexico, they referred to the map, and found that a line drawn from the point of Pensacola southward included Cuba, Hispaniola, and Jamaica. It was agreed that the articles relative to the fishery, and the islands in the Gulf of St. Lawrence, must be rendered more explicit, by specifying the respective possessions, claims, and objects, on this subject, so as to prevent all cause of future doubt and disagreement. (Some philosophical discourse arising, Dr. F. said it was his opinion that the matter of light was what entered largely into the nourishment of vegetables. This opinion I mention here for its curiosity, not for its pertinency.) No answer to Mr. W. Lee's letter was mentioned. Count Lauregais had informed Mr. L. that young Mr. Holker went over to America with Mr. Deane's brother, and it was supposed upon some public business. This Mr. L. mentioned to Mr. Chaumont and Mr. D. together, who both denied any knowledge or belief of it. In the evening Mr. L. went to Versailles where he informed Mr. Girard of his having received advice from Bilboa that Cunningham was in a fair way to compromise the affair of the prize. Mr. G. expressed much satisfaction at this, because it had given very great offence at Madrid. Mr. L. mentioned his doubts about the propriety of stipulating in the treaty that France might attempt the conquest of Jamaica, lest it should offend Spain, to whom it was

more properly an object; or of the commissioners for this court undertaking to conclude a treaty with Spain when there was a plenipotentiary appointed by congress for that purpose. Mr. G. said that whenever Spain should accede to the treaty, that article or any other would be arranged conformable to the harmony and mutual good will which subsisted between the two courts, for which purpose the express stipulation for their accession was entered into. That as to the other it must be arranged by the commissioners themselves, but that he thought the plenipotentiary for Spain might either sign the engagement separately or conjointly, specifying his character after his signature. He seemed desirous of our appointing a day for finally settling it, as soon as possible.

23d. Went to Passy in the morning, but found Dr. F. just going out, the copying not finished, the translation not begun, and no business to be done. A young Frenchman coming in, Dr. F. sent him into the little room, where his grandson was copying the treaty; and Mr. L. going in soon after, found the treaty upon the table, and the young Frenchman close to it. This is mentioned to show how vain it was to enjoin secrecy where there was so little discretion. A letter from Mr. Williams mentioned that a convoy was ready, and leave for the exit of the Lion, but that she must wait ten days for the spring tides. He had been to Brest, and made a very good report of the forwardness of that fleet. The commissioners dined together, in company with the Duke d'Ossion, ambassador to the States General, who had just come from the Hague, and gave a favourable account of the preparations of the Dutch, and their aversion to hazard any more of their money in the English funds. After dinner the commissioners had some conversation, when Dr. F. desired Mr. L. to draw up an article on the fishery; but he was unwilling on being urged, to fix a day for the final settlement of the treaty. He said it was to no purpose, because they would forward it as fast as possible.

24th. Went to Passy in the evening, as the most likely time to find them disengaged, but Dr. F. was not at home; his grandson said they had been comparing the

French with our plan, but that the copying was not finished, nor the translation begun. He observed, that his grandfather's dining out every day prevented any business from being done, and that he was to be out again next morning. A very unpromising state of things, when boys made such observations on the conduct of their grandfathers. Mr. L. had prepared an article, instead of those of the 'stipulated conquest' and 'renunciation,' in which France should unequivocally renounce all the continent, and those islands which the United States meant to make the parts of their confederated empire, that is, the islands of Newfoundland, Cape Breton, St. John's, Anticosti and the Bermudas. He left word with young Mr. F. for the Dr., that he would be at Passy next morning at 11 o'clock.

25th. The consideration of the treaty renewed. The great question was upon the 11th and 12th articles of the commercial treaty. Mr. D. had told Mr. L. that he was willing to propose the leaving them both out, but when Dr. F. proposed the altering the 12th article to extend the prohibition of laying duties on tobacco, to all the commodities exported from the United States, and confine the destination to the islands furnishing molasses, he agreed with him to let both articles stand. Mr. L. differed. He said, 1st. These articles imposed a confinement of jurisdiction, contrary to the principles laid down as the basis of the negotiation, that each party should be unrestrained within itself. 2d. They were going beyond their powers, which directed them to stipulate for, but not insist on the exemption of molasses, much less to purchase it at an enormous price. 3d. There appeared no necessity for restraining the impost upon an article which was never likely to have any duty laid upon it, this being contrary to the system of their policy. Mr. D. answered that it would be a very popular thing in New-England, where there was a vast consumption of molasses, both in food and distillation; that it formed the great staple of the commerce of America, and was extending very much to the southward, particularly in South Carolina; that he was sure the import of molasses alone

amounted to 100,000 hhds. and was equal in value to all the tobacco made in America; that the French seeing the advantages we made by the distilling it, and with a view to get a vent among us for their brandy, might lay a heavy duty upon it, and by that means render the rum dearer when distilled with us, than that of their islands, and the brandy of old France. Dr. F. supported the same arguments, but thought the estimate of molasses was much too great. He added, with an apparent candour, that rather than there should be a dissention, and the treaty impeded, he would be of Mr. L.'s opinion. Mr. L., who was aware that this was calculated to throw all the consequences upon himself, of obliging Dr. F. to act against his judgment, made no reply; but on Dr. F.'s desiring a resolution might be made, said it was unpleasant to him to persist in his opinion, but yet he was so convinced of the hazard of the measure proposed, that he could not agree to it, and therefore proposed that the other two commissioners should be consulted with; that from the manner in which they received it, we might judge what would be the opinion of our country; that they were gentlemen from the southern states, and extremely well acquainted with commerce. This proposition was refused, not without considerable appearance of offence from it, particularly in Mr. D., who said it would be very extraordinary to call in any body to judge of a thing that was left with us, and that he thought he might without vanity say, he knew the trade of the southern colonies as well as those, or any other gentlemen. Dr. F. then, in a certain soft, smooth, accommodating manner, which he can assume at pleasure, said, 'well, suppose we just propose it, and then say that we are very willing to give up both the articles.' As this, from the manner in which it was proposed, appeared to be a sort of compromise that would prevent any open dissention, Mr. L. desisted from his opposition. He did not think it became him to persist in his opinion against the judgment of his colleagues, given under an artful endeavour to throw all the consequences of it upon him.

26th. The treaty resumed. It had been proposed by

Dr. F., in the 7th article of the defensive treaty, that the word 'Jamaica' should be left out, as the assembly of that island had petitioned against the measures respecting us at the beginning, and showed a friendly disposition towards us. Therefore, mentioning that island particularly, would appear ungrateful. This was agreed to, and Mr. L. proposed to omit mentioning the word 'conquest' in the 5th and 6th articles. That the 5th should run thus:—"If the United States should think fit to attempt the reduction of the British powers in North America, in the islands (specifying them) near the gulf of St. Lawrence, and in the Bermudas, the countries so reduced may be confederated with, or dependent upon the thirteen United States." Then in the 6th article it was to be any part of the continent, or of the islands in or near the gulf of St. Lawrence, or the Bermudas, which were, &c. &c. Agreed to in part.

In the 12th article Dr. F. proposed to insert the word "possessions" after "reciprocal guaranty," in order to make it appear that in all events they undertook to guaranty our liberty and independence, and that the condition went only to the possessions. This was agreed to. The other commissioners were then slipping over the secret article, in which they stipulated to negotiate and sign a treaty with Spain; but Mr. L. remarked to them that as there was a deputy plenipotentiary appointed for Spain, *he* must stipulate that, and not they who were only for the court of France. This observation caused some little distress, such as arises when people find a thing has happened which they feared, and yet were in hopes of avoiding. They sought however for relief in our instructions, but it appearing from them that the deputy for Spain and those of France were to consult together in modelling the treaty with Spain, so as not to interfere with that of France; they were obliged to agree that instead of "deputies" it should be "deputy." Dr. F. then read a second secret article which he had prepared, for stipulating to us an annual subsidy while we alone supported the war, which was agreed to, with the amendment of "allies and friends" proposed by Mr. L.

He then desired that there might be a demand for eight or ten ships of the line, stating that if the whole force of the war continued against them, it would be in vain that they had money to purchase supplies, since the coast would be so effectually blocked up, and most of their towns on the coast in the enemy's hands, that it would be almost impossible to get in those supplies. Dr. F. promised to draw up an article for that purpose. Mr. L. then asked whether it was determined to make the commercial treaty perpetual; because it was his opinion that it would be much safer to limit it, so that if in experience any thing was found wrong, it might not be without remedy. Mr. D. answered that it certainly was intended to be perpetual, for it was so ordered in the plan sent by congress, and if it was not so it would be desirable to make it perpetual, that there might be no power of changing. He added that all treaties of commerce were perpetual; in which Dr. F. agreed with him. To satisfy them that it was not so Mr. L. showed them the treaty of commerce between Great Britain and Russia, which was concluded in the year 1766 for 20 years, and he read them the twenty-fifth article which says, "And as it is customary to fix a certain term to the duration of treaties of commerce, the above-mentioned high contracting parties have agreed that this treaty shall continue for twenty years, counting from the day of signing; and after the expiration of that term they may agree upon the means to renew and prolong it." Mr. L. added that as we were a young and forming people, things were undergoing with us frequent changes, which in old countries was not the case, and as the treaty was drawn up in times of great hurry and confusion, he could not help thinking that limiting its duration was wise and necessary. His colleagues did not think so, and he dropped the question.

27th. In the evening the commissioners met Mr. Girard. He explained his having desired them not to leave their carriages at the door, by saying that the last time on going out he observed a man who followed him round the corner, and looked like a spy. He thought it was

likely that their chariots standing at the door attracted his curiosity, and led him to watch the house. The treaty was then entered upon. The commercial treaty first. In the second article it was agreed to omit the words, "*en general et chaque état pour lui-meme,*" because by the articles of confederation no state had a right to treat separately. In article third the words, "*de quelque nature qu'ils puissent être, et quelque nom qu'ils puissent avoir,*" which were omitted in the next and reciprocal stipulation, in behalf of the states, was agreed to be inserted. It was proposed in the 4th article to omit the words, "*en Europe,*" and extend the exemption from paying extraordinary duties to all the king of France's dominions. But this, Mr. G. said, could not be agreed to, as well on the part of Spain, as interfering too much with the system of their islands. The words, "*des Etats du Roi,*" were agreed to be inserted in the place of "*les dits Etats,*" which were equivocal. In article ninth "*et les sujets du Roi*" were agreed to be added to "*les E. U.*" to make the condition reciprocal. The alternative was then proposed of altering the words, "*des Tabacs que les sujets de sa Majesté T. C. pourront tirer des pays et possessions actuelles, ou futures d'aucune des 13 E. U.*" in the twelfth article, into "the produce of the United States exported for the islands furnishing molasses." Dr. F. added that if this was not acceptable it was our wish to give up both the articles. Mr. Girard seemed not to like the alteration, but said it would never be their interest to lay any duty upon their molasses, yet he could not himself determine upon the proposition, which he would mark for the consideration of the ministers. Mr. D. took up the discourse, and said the exemption of molasses was a thing very much desired in America, and would be very popular. Though Mr. L. thought this was somewhat unfair, it having been settled that Dr. F. should make the report of what was agreed to, yet to avoid any appearance or occasion of dispute, he made no observation on it, hoping from the manner in which Mr. Girard received the proposition, that the alternative of rejecting

both would be adopted at Versailles. An explanation was next desired, relative to the stipulation at the end of the thirteenth article, that it should not affect the laws of France, "*promulguées en France contre les émigrations, ou que pourront être promulguées,*" which Mr. Girard said means that the subjects of France emigrating without leave and settling in America, should not have the benefit of the exemption from the "*droit d'aubaine.*" In the twenty-seventh article the insertion of the words, "*le nom, propriété et grandeur des vaisseaux et aussi,*" between the words "*exprimeront et le nom,*" was proposed and admitted. The words, "*suivant les réglemens généraux prescrits,*" &c. in the twenty-eighth article, were explained to mean, such regulations as should be settled by a particular convention, which they had found to be the best method, and accordingly practised with the most favoured nations. This ended the discussion of the commercial treaty.

In the defensive treaty it was proposed that "*Souveraineté*" should be inserted after "*leur liberté*" in the second and eleventh articles. Mr. Girard thought this might be productive of embarrassment to this court, as in any quarrel that might happen among the states France would be called upon by each side to maintain their sovereignty. It was answered that this related to the sovereignty of the union, and not of particular states, and therefore could not produce such a consequence. He promised to report it to the ministers. The alterations before stated in the fifth, sixth, and seventh articles were proposed and seemed to be accepted. In the twelfth "*dispossessions*" was proposed to be added after "*la garantie réciproque,*" to remove all ambiguity, and prevent its being supposed that the guaranty of their liberty, sovereignty, and independence depended, as well as that of their possessions, on the event of a war. Mr. Girard objected. He said the whole of the treaty was eventual. That they were not to suppose that the entering into the former one was a legitimate cause of war, but as it might occasion it they had reason to provide against that event, upon which all the conditions of the treaty

must depend. It was intended, he said, to announce immediately the commercial treaty to the court of England, and desire their concurrence. If they concurred, it was well ; if not the commerce would be protected, and any violence offered would be deemed an aggression on the part of Great Britain, and produce a war. The ratification, in the fifteenth article, was prolonged to six months. Dr. F. proceeded to the last and secret article, in which he said it was desired *those* should be added to it ; not doubting but that the persons employed by his Catholic majesty to treat with *them*, will do the same with regard to any alterations of the same kind that may be thought necessary by the deputies of the said United States. Mr. G. did not at all incline to admit this, and said it was unnecessary, as "*l'égalité*" and "*reciprocité*" were stipulated to be the principles on which any alteration should be made. Here Mr. L. reminded Dr. F. that it had been agreed to mention the mistake in a previous part of that article, in which it was stipulated the commissioners for this court should negotiate and sign the treaty with Spain, which could not be, as there was a special commissioner from congress for that court. Dr. F. then stated it as a difficulty, and Mr. Deane said the word deputies he thought might remain, since, though there was one now, perhaps more might be appointed ; to which Mr. L. replied that it was not a question about deputy or deputies, but whether they were warranted to assume the office and duty of another, and that they must act upon what really was, and not on a supposition of what might be. Mr. L. then showed his commission for Spain, and Mr. Girard proposed to insert in the separate and recent article, "*et le Deputé des E. U. chargé des pouvoirs de traité avec l'Espagne, promettoit,*" which was agreed to. Dr. F. proceeded to observe, that we had on our part two secret articles to propose, but having not yet quite settled them, we must take an opportunity of sending them for consideration as soon as we had determined upon them. In the mean time he would just mention that the principle they were founded upon was

this, the condition of this treaty's having effect was an aggression on the part of England, which might induce her to bend her whole force against the United States, and avoid that which would procure them the assistance of France. It was therefore thought necessary to provide against that course of the business, by a secret stipulation that while the war continued against the United States alone France should grant them an aid in money and ships of war. Mr. Girard seemed to think this unnecessary. He said he believed the intention was to announce immediately the treaty of commerce to the British court, with an invitation to accede to it, and information of his most Christian majesty's resolution to maintain to his subjects the free enjoyment of it. That at the same time such preparations would be made and such an army collected on the coast as would render it very imprudent for England to detach much of her force to America. The conference then broke up, and Mr. Girard retired after promising to have the points proposed, adjusted, and the treaties copied with a blank opposite space for the translation, which it was agreed should accompany it as soon as possible. When he was gone the commissioners considered the two additional separate articles, drawn up by Dr. Franklin, the one for money, the other for ships, and it being their unanimous opinion that delaying the treaties for the discussion of these new propositions in our critical situation, was likely to be attended with more mischief than the postponing them for a future negotiation; it was agreed to drop them at present. A letter was accordingly written to Mr. G., informing him that we should make no farther proposals.

Mr. L., upon his colleagues refusing to ask the opinions of the other commissioners on the 11th and 12th articles of the commercial treaty, had in private proposed the question to them, whether they thought the stipulating on our part, that no duties should be imposed on any American produce exported to the French molasses islands, on condition that none be imposed on the molasses exported to the United States, was for the interest of the United States? They were so strongly of opinion

against it, that Mr. Izard would write his sentiments upon it to Dr. F., and it was with great difficulty he could prevent his brother from doing the same.

28th. Mr. L. went to Passy, where he found Dr. F. with his grandson, busy in expediting the copy of the translation, which it had been agreed should be sent that evening to Mr. D. Mr. Izard's letter on the 12th article, which he had received, was the subject of conversation. The Dr. said Mr. I. seemed to have heard all the arguments against but none for it. That the letter had made no alteration in his former opinion. He seemed much out of humour; said it would appear an act of levity to renew the discussion of a thing we had agreed to; that he had offered at our former conference to be of my opinion rather than disagree; that some years before he left America a discovery had been made that molasses might be procured from Indian corn stalks, which struck Mr. L. as a strong reason against the articles contended for. Mr. L. answered that he thought there was a manner of proposing their doubts about these articles, without any risk of being accused of levity. It was true Dr. F. had offered to give up his judgment to that of Mr. L.; but when his opinion was asked, he had not done it, and Mr. L. did not think himself warranted to compel him to resign his judgment, by threatening a dissention if he did not; he therefore acquiesced in what he could no longer oppose, after he had given his reasons to no purpose. Young Mr. Franklin was then copying the treaties to be sent with our definitive letter of the 27th, to Mr. Girard.

30th. Upon considering every thing for and against the 12th article more maturely, Mr. L. viewed it in a still more disadvantageous light. He therefore wrote to the other commissioners, stating all the objections to it, and proposing that it should be stipulated, that congress should be left at liberty to ratify or not the 11th and 12th articles, without affecting the ratification of the rest of the treaty. In answer to this he received a card from the commissioners next day, informing him that they did not agree with him, but that they had written to Mr.

Girard to desire both articles might be omitted. This they could not but have been satisfied was not admissible in the then state of the business, though the proposition made by Mr. L. most certainly was. The effect of it would have been, to show congress that the court here was not so attached to the articles, that the not ratifying them would give any uneasiness or create any dispute, of which however it seemed the other commissioners were not desirous of informing them.

Feb. 2d. The commissioners received an account from Mr. Ross, at Nantes, that Mr. T. Morris was at the point of death, and if that happened his papers would be seized by the officers of the crown. Mr. Lee went with his brother to Versailles, to get an order for the delivery of the papers which concerned the public business, to the other commercial agent. Mr. Girard said this would be done with all possible expedition, if the commissioners would present a small memorial for it to the minister. They had some conversation about the 11th and 12th articles. Mr. G. mentioned, that the ministers were of opinion that it would be hazarding their credit with the king, and the treaty itself, to make a proposition to him for omitting them after a representation to him that they were admitted and settled; that he had written this to the commissioners that day, and asked Mr. L. if he had not seen the letter. Mr. L. answered, that he supposed it had not been received before he came away. He then asked Mr. G. whether congress might not ratify the rest of the treaty, and reject those articles? He answered, without any doubt they might do so, and that there was no sort of desire in the court here, relative to the omission or continuance of those articles.

3d. Mr. L. drew up a memoire, desiring an order for the delivery of Mr. Morris's papers to Mr. W. Lee, the other commercial agent, which the other commissioners signed. On the 4th Mr. W. L. waited upon Mr. Girard with the memoire, and he promised to expedite it with all possible despatch.

4th. Mr. Deane, who had taken the correspondence upon the subject to himself, received a letter from Mr.

Girard, appointing the 5th for meeting to conclude the treaties. When Mr. L. met the commissioners, a letter was shown him from Mr. G., putting off the meeting till next day, on account of a sudden indisposition. Mr. L. mentioned to the other commissioners that the Morocco ambassador was soon to leave Paris, and that it would be a favourable opportunity to treat with him, by the mediation of this court, especially as there was an interpreter with him, with whom he had conversed, and found he understood English extremely well. His colleagues seemed to approve of what he proposed, but postponed taking any measure upon it.

6th. Mr. Girard met the commissioners in the evening: They read over and compared the treaties. He could not agree to the alteration we proposed in the 6th article of the treaty of alliance, as it was meant to leave the islands in the gulf of St. Lawrence open to the conquest of either or of both; in the last case on terms to be settled when the expedition was planned. The addition to the secret and separate article was admitted. Some difficulty arose about rendering Mr. Lee's title of Counselor at Law into French; at last it was agreed that *Conseiller des droit*, came nearest to the meaning of the English. These things being adjusted, Mr. Girard was going to sign, when Mr. Lee, having waited till the last moment for Dr. F. to propose it, observed that there was a previous ceremony necessary, which was the reading and exchanging their powers. Upon this Mr. Girard delivered to them his powers, which were for each treaty, and the commissioners gave him their commission, which was all the powers they had. Mr. Girard then sealed and signed, and after him Dr. Franklin. They then went to the fireside and were talking, while Mr. Deane and Mr. Lee were sealing and signing. Mr. D. enquired of Mr. L. with apparent anxiety, how he would sign to distinguish his two characters. Upon which Mr. L. asked Mr. Girard whether he thought it would be necessary for him to sign twice as plenipotentiary for France and for Spain, who said he thought not, but that the characters might be added to the signature. Mr. D. then ask-

ed Mr. L. how he would word that? to which Mr. L. answered, Commissioner Plenipotentiary for France and Spain; upon which Mr. D. observed, that there was no occasion to make this addition to more than the secret and separate article. The treaties were committed to the care of Dr. Franklin. Mr. Girard, after some mutual compliments on having happily concluded so important a business, took his leave. Before the treaties were signed Mr. L. asked Mr. Girard whether he had understood him right as having said that congress was at liberty to reject the 11th and 12th articles, without affecting the ratification of the rest? to which Mr. G. answered, with an appearance of ill-humour which made Mr. L. believe there had been some private insinuations made to him since, that he had had the honour of telling Mr. L., that as the articles were mutual, and it was endeavoured to make them all so, and the basis of the treaty was mutual interest, wherever that mutuality was thought not to take place, there could be no objection to omitting them. And he believed upon a representation of it from congress, there would be no difficulty here relative to the articles in question, which were assented to from an opinion of its being a very desirable thing in America. This was certainly changing what he had said before; and Mr. L. did not ask him to repeat it from any doubt in his own mind, but that his colleagues might hear it as well as himself. And this change seemed so pat to the purposes of Dr. F. and Mr. D., who wished to have the whole ratified by congress, that Mr. L. could not help suspecting that Mr. Girard had been secretly prepared on the subject.

13th. Mr. L. received a note from Dr. F. and Mr. D. that they proposed to send away the despatches on the 16th. This was the first communication from them on the subject. It implied that it was to be the only one, and that neither the treaties were to be authenticated, nor the letter considered, nor the person to whom they were to be entrusted, made known to Mr. Lee. The next day Mr. L. went to Passy at the usual hour of meeting, to see whether, being on the spot, any consultation

would be had, or communication made. He found Dr. F., to whom he communicated a conversation between Count Maurepas, and Mr. Forth, an English spy and corrupter, sent in the character of the king's confidential friend. Dr. F. in return entertained him with some very agreeable philosophical conversation, and they parted without one word on the despatches, &c. In the evening Mr. L. wrote a letter to his colleagues, to know whether their note really meant what it imported, that no consultation was to be had upon the despatches. To this they replied next day, that they were and had been willing to consult with Mr. L. on any thing relative to sending away the despatches. Mr. L. then sent his secretary to know when they chose to meet, and when the express would go. Dr. F. answered that they would meet on the 16th at 10 o'clock, and that he was surprised at Mr. L.'s asking the other question, as he had been before informed the express would go on the 16th. Mr. L. then wrote them a letter, stating their conduct, the unsatisfactoriness of their notes, and that the sending away the despatches without a consultation would be so very extraordinary, that he must believe that they would be the subject of the morrow's consideration.

16th. Went to Passy; the commissioners being together, Dr. F. read them a draught of a general letter to the committee to which Mr. L. proposed four additions. 1st. To relate the answer Mr. Girard made to him at the conference relative to the eleventh and twelfth articles. 2nd. To desire some person might be appointed to execute the commercial orders, these being inconsistent with their political character. 3d. To desire the farther orders of congress, relative to borrowing money. 4th. To state that Mr. Beaumarchais' demand of payment for the stores sent, did not appear to the commissioners to be just. To the first it was answered, that this would be to call the attention of congress to those articles; that it was uncertain whether the court here would wish to have them rejected; and for these reasons it was overruled. Mr. L. repeated Mr. Girard's words at the conference, which were very clear as to the indif-

ference of this court about those articles, and Dr. F. agreed that it was the practice of ratifying powers, to omit such articles as they pleased, and ratify the rest. On the second, it was said they were of the same opinion, and had therefore proposed to appoint Mr. Chaumont contractor general. Mr. L. said he doubted they were not authorized to make any such appointment, which must be left to congress. In support of the third, Mr. L. observed that the situation of affairs was totally changed since the passing the order for borrowing money, which was in the time of their greatest distress, Dec. 1776; the enemy overrunning their country, their bills and credit falling, no friends in Europe, no commerce to furnish them with what was necessary, and all sorts of supplies wanting; but now their notes and credit were rising fast, the enemy was kept in check, funds were supplied us for answering all their demands for supplies, and the payment of interest for what they had borrowed; great supplies had been sent and were sending, both by them and individuals. Mr. L. stated that the estimate given in to the ministry by the commissioners, of the sum necessary to pay for the supplies already contracted for, and those which must be purchased, amounted to four millions of livres. That in this estimate every thing was of course highly rated. But there must be deducted from it a million for the eight ships of war, which it was certainly impracticable to purchase and man, and 600,000 for the ships in Holland, as they were to be repaid whatever they disbursed. This would leave the sum necessary at 2,400,000. In their last despatches they were informed that the sum on which they were to pay interest, and which would be drawn for in a twelvemonth, was five millions of dollars, 25,000,000 livres, which at six per cent. would be 1,500,000 livres. To answer these demands they had three millions at quarterly payments from this court, with a general promise that the interest of the loan in America would be supplied also by this court. Three millions had also been promised them from Spain. From these considerations Mr. L. said it appeared to him that there was no necessity, nor even

any reason for borrowing money here. He besides thought it a very unwise measure for a young state, since money obtained so easily was generally expended lavishly, and involved them in continual difficulties. Mr. Deane supported the necessity of borrowing. He said the war could not be carried on without it, we must have large quantities of naval stores to fit out a fleet, we might as well borrow money here as in America. He was answered that we were certainly much better provided for carrying on the war now than we were last year, and it was doubted whether the enemy would be able to continue it at all. That it would be much better for them to exchange their produce for the stores they wanted, than to borrow money to purchase them. Ships with adventurers were flocking fast to America, and under the patronage of the late treaty there was no doubt of America being soon supplied with whatever she wanted in the due and ordinary course of commerce. Mr. D. observed on this, that there was no produce in America to make the exchange. Tobacco and rice were the only articles of any consequence. This was an assertion to which Mr. L. did not think it worth while to make any reply. Dr. Franklin then said that they must have all the accounts and papers to form a proper judgment, that the ministry were pressing for the despatches, which could not be delayed a day longer, and therefore they must postpone this consideration till another time, when they could have all the papers. He was of opinion we might rely on the promise of the court. With regard to Mr. Beaumarchais, Mr. Deane said there was some mixture of private merchandize with the public supplies, and therefore proposed that we should write to have it left to us to settle his account, to which Dr. F. agreed; and Mr. Lee, though he suspected the motive of it, perceived it would be in vain to oppose it.

21st. Mr. Lee had a conference with Count d'Aranda, the Spanish ambassador, concerning the three millions of livres, which this court gave the commissioners to understand, first, were to be remitted through the Havannah, which they communicated to congress, and then that it

was to be paid here, which had not been done. His excellency replied that in consequence of orders from his court, he had promised that sum, but how it was to be remitted he knew not, nor had he received any farther information on the subject. Mr. L. told him that they were left in a very uncertain and awkward situation, and begged he would write to his court, which he promised to do.

22d. Mr. L. having often urged an application to the court to assist them in forming a treaty with the emperor of Morocco, while his ambassador was at Paris, it was at last agreed, after much difficulty, that Mr. L. should go next day to Versailles, and ask Mr. Girard's advice upon it. Next day he went accordingly. Mr. Girard said the Morocco ambassador was to quit Paris that very evening, and therefore nothing could be done. He then entered into conversation about the designs of England and France. All her enmity was now excited against France. Endeavours were to be used to make America join England, and they boasted of having sent over half a million of guineas, to secure the point in America. That the strictest secrecy on what had passed relative to the treaty should be observed till congress had ratified it. He said it was a common cause now, and France had endeavoured to govern her conduct towards us on the most generous and equal rules; without exacting any thing from our necessities. That Le Morte Piquet had strict orders not to give way one inch to the English, nor suffer any of his convoy to be touched; and if upon that ground the English chose to commence hostilities, France was determined. Dr. F. had apprized Mr. L. that morning, of a correspondence he had the day before with Mr. G. about advices the court had received from London of a treaty that was entering into in America with England; but Mr. G. mentioned nothing of what had passed.

March 3d. Mr. L. wrote to the other commissioners to know when they would take what he proposed into consideration. The moment for pressing it with most effect was gone; but Mr. L. still thought it their duty, and for

the public good, to endeavour to obtain an avowal of their connexion with France. The king of Prussia had expressly declared, that he waited for and would follow the example of France. Many other powers were probably in the same situation. An acknowledgment would open and facilitate commerce, and would be both honourable and useful to the United States. His colleagues fixed upon next day, at 11 o'clock; the same hour that was appointed for Mr. W. L. to deliver to Dr. F. the trunk containing the late Mr. Morris' papers, sealed and unopened as he brought it. This was done according to the proposal of Dr. F., who refused to examine and separate the public from the private papers, as he had promised.

4th. The commissioners entered into a consideration of what Mr. L. had proposed, relative to their desiring of the court to be acknowledged. It was observed by Dr. F., that making the treaty public would draw on the acknowledgment as a necessary consequence; and for this purpose he proposed to desire a conference with Mr. Girard, which was agreed to, and done immediately by letter.

5th. Mr. Girard met us at Passy in the evening. He complained to Mr. L. of having cited him to the Spanish ambassador, as having told the commissioners that the Spanish court had agreed to contribute three millions livres, and remit them through Havannah. This he said might occasion some misunderstanding between the two courts; and that all he had said was, that they expected it would be so, and that the Havannah was a convenient place; but that the Spanish ambassador would give us information of what his court resolved on. Mr. L. answered, that he had asserted nothing from himself. He had only stated to Count d'Aranda, that the commissioners having understood from Mr. Girard that such a sum was to be supplied through the Havannah, had given information to congress. That since, they had been told it was to be paid in quarterly payments here. Of this he had also given information to congress. But nothing had been received here. This was an embarrassment

from which he begged the Spanish ambassador to relieve him. Mr. G. begged that Mr. L. would explain to the Spanish ambassador, that it was not an official information on his part, but only what appeared to him probable and convenient. As no such distinction was made, when the intelligence was given on which the commissioners thought themselves warranted to write to congress, Mr. Lee could not undertake to make it now. During this conversation, Mr. Deane, who had reported to the other commissioners, as coming from Mr. Girard, that the money was to be paid quarterly in Paris, from which second information the embarrassment arose, and the application to the ambassador, would not confess that he was the author of it to Mr. L., but endeavoured to throw an imputation on him, by saying that the commissioners had mentioned it but slightly in their letter. Yet the words of the letter, drawn up by Dr. F. and signed by Mr. Deane, were "we are told that Spain will furnish as much, but that for their convenience it will be remitted in specie through the Havannah." Dr. F. then stated to Mr. Girard, that the commissioners considering all circumstances, were of opinion that the immediate publication of the treaty would be of great advantage, both in preventing the acceptance of the propositions from England, and in attaching America decidedly to France. Both Dr. F. and Mr. D. pressed the advantages it would give, in preventing Holland from contributing to the English loan, and promoting that of America; in preventing the bad consequences of want of intelligence in America, if their despatches should fail, or be delayed; and that the effect of it might possibly be, that the English would find themselves obliged to accede to the independency, from their inability to sustain a war against the united powers of the house of Bourbon and the states of America; and the war would be ended at once. But they seemed to doubt whether the immediate termination of the war was a thing to be desired, or whether it would not be better to continue it, till the enemy were driven entirely out of America. Mr. Girard said that the publication of the treaties was now under deliberation among his majesty's

servants; that the great objection was, the uncertainty of its being ratified by congress. For if they should publish it in Europe, and it should be rejected in America, it would subject France to infinite disgrace, and probably occasion a mortal enmity between the two people. This was therefore a consequence which they had great reluctance in risking. He was clear the United States would never be at peace, till the English were entirely expelled from America. Mr. L. begged him to observe, that as it was the wish of the English to prevent a connexion with France, so it was their policy for that purpose to affect ignorance of a treaty having been concluded, because they knew the hard things which had been done towards American vessels in France, would have a strong effect on the minds of the people in America, unless counteracted by some proofs as public, of the amity and sincerity of France. For these reasons, as it was the best policy of England to conceal the treaty, it would seem the wisest measure of France to make it public. The concealment most clearly left the field open to all the practices of the English to excite prejudices against France, and to seduce America by that means into an accommodation or an alliance with them. Nothing was calculated to counteract this but their private despatches, which by a thousand accidents might be delayed or fail. The risk of this seemed much greater than that of its being rejected by congress after the publication of it here. The king of Prussia had pledged himself to follow the example of France immediately, and probably many other powers were of the same resolution. The commissioners all agreed, that there was not the least reason to apprehend congress would reject the treaty, unless the want of intelligence should have laid them under other engagements. Mr. Girard professed himself much satisfied with this assurance,* and promised to report the reasons and desire of the commissioners, which he did not

* When Mr. Lee gave his opinion, that there could not be a doubt of the treaty's being ratified by congress, it seemed to surprise Mr. Girard, and he said with emphasis, "do you think so, sir?" His manner struck me with some surprise, but I now suppose it arose from the very friendly suspicions my colleagues had been endeavouring to infuse.

doubt would have great weight with the council. When he was gone, Dr. F. read a letter, which he had just received from Mr. Izard, desiring a copy of the treaty, if any one had been proposed or signed, and a conference upon what alterations would be proper for his department. Dr. F. said he thought it would be best to have copies made out for both the commissioners, and that he supposed Mr. Izard could wait a few days, till we knew the issue of our application. Mr. D. said he did not think it was proper to let Mr. I. into the secret which was entrusted to them. Mr. L. answered, that copying the signatures and sealing, was by no means necessary, and without them they would appear as plans only, which would answer the purpose without committing them. He proposed that they should answer the letter immediately, to satisfy Mr. I. of their attention, and that they would comply with his desire as far as was in their power. To this the other commissioners made no answer; and apprehending by that the urging it would occasion some dispute, and perhaps prevent the essential thing from being done, Mr. L. did not press it. Next day he sent word by his brother to Mr. Izard, that he believed his letter would be complied with.

8th. Mr. Lee met with Col. Mercer, of Virginia, at Mr. Izard's, who declared he had heard Mr. Bosville, who served with the guards in America, assert it as a fact, that the Scotch soldiers took an oath under their colours, never to spare or give quarter to an American, and that they had in consequence of this hung up a great many prisoners to trees in their own belts. A Mr. Pringle, who was present, said his brother had seen a letter from Sir William Erskine, in which he acknowledged that what he called the British soldiery had committed what were charged upon them as cruelties, but he considered them as the excesses of a laudable ardour, which ought not to be restrained.

17th. The commissioners received a letter from Mr. Girard informing them that they were to be presented to the king on the 20th, and were invited to dine with Count Vergennes.

20th. The commissioners met at Count Vergennes', where all the Americans assembled, and a dinner was provided for them at the expense of the commissioners at an hotel. Mr. Izard and Mr. W. Lee were introduced to Count Vergennes, as commissioners of congress for their respective courts, and were invited to dine with him. After the commissioners had conversed a little in private with the minister, in which Count Vergennes did not appear desirous of giving any opinion to which court it was the wish of France that Mr. commissioner W. Lee should make his application in preference; they were led to the anti-chamber of the king, the Americans all following them, and after a few minutes they with all the crowd were admitted into the king's dressing room, where he had a sort of levee, and where they with the two other commissioners were presented by Count Vergennes to the king, who said "*Je serai, bien aide que le congres soit assure de mon amitié,*" and then went out. He had his hair undressed, hanging down on his shoulders, no appearance of preparation to receive us, nor any ceremony in doing it. The king appeared to speak with manly sincerity. After this they were presented to Count Maurepas, Mons. de Sartine, Ministre de la Marine, le Prince de Montbarey, Ministre de guerre, Mons. Bertin, and Mons. Amelot, two ministers for home affairs. The chancellor was not in town, and two of the ministers not within. I mention this to show how little there was of ceremony in the business, or of previous preparation. The commissioners, accompanied by Mr. Girard, walked through the streets to their different dwellings. Between two and three we dined at Count Vergennes', where there was a grand company of nobility.

22d. The commissioners went again to Versailles to be presented to the queen. It was with great difficulty they could pass through an unordered crowd, all pressing to get into the room where the queen was, it being levee day. When they got in, they stood a moment in view of the queen, and then crowded out again. They were neither presented nor spoken to, and every thing seemed in confusion. They went next to Mons. and Madame

the king's eldest brother, and his wife ; then to Madame the king's maiden sister. The youngest brother, Count d'Artois, was at this time under a temporary banishment from court, for having fought a duel with Duke Bourbon, a prince of the blood. They then visited the chancellor, whose office is for life, and he is obliged always to wear the robe of it. After this they dined with the Americans in their suite, at Mons. Girard's.

(c) Continuation of Extracts from the Journal of Arthur Lee, kept by him while he was a commissioner of the United States, at the court of France.

27th Nov. 1778. Mr Lee got to Versailles some time before his colleagues, and conversing with Count Vergennes upon the proceedings in Holland, the Count made this observation, "The Hollanders must be much embarrassed, for they have no treaty with us, securing to them the privileges of commerce ; they are therefore of grace, and we may alter them at our pleasure, so that if they comply with the desire of the court of London, and alter their treaty with England, we will immediately withdraw from them those privileges which they have neglected to secure by treaty." This shows how necessary it is for commercial nations to have treaties of commerce with those kingdoms with which it is their interest to trade, and how unwise it is to leave their commerce thus at the mercy of political events.

Dec. 4th. In a conference of the commissioners on the subject of a memorial to Count Vergennes, drawn up by Dr. Franklin, to obtain funds to enable them to pay the interest of the loan, Mr. Adams observed, "that he thought we ought to state the interest France had in supporting us, how little the expense was in proportion to that interest, and not make it a *matter of mere grace*." It was his opinion, he said, "that this court did not treat us with any confidence, nor give us any effectual assistance." Dr. Franklin took it up with some warmth, and said "he did not see how they were defective ; they had

sent a fleet and given us money." Mr. Adams replied, "that the monied assistance was pitiful, and the fleet had done us no service." Dr. Franklin answered, "that was not their fault, as they took the wisest method of making it useful." Upon this Mr. Lee observed, "that he did not know by whose advice the wise method was taken, of sending a fleet from Toulon, to be six weeks before it could get to sea, in order to surprise Lord Howe in America. But it seemed very obvious that if the fleet had been sent from Brest, it would have been in America, in all probability, before the other was out of the straits." The Dr. answered, "that the sending it from Toulon concealed the design from the enemy; otherwise Byron's fleet would have been out immediately to stop it." Mr. Lee replied, "that it was most notorious that the court of England had a daily account from Toulon of the preparation and destination of that fleet, and that what really prevented them from ordering a force against it was their not being then prepared; that if any doubt ever existed concerning its actual destination, it was whether the islands or the continent were the object, and that this doubt must have been the same from Brest as from Toulon. The passage of the straits was known to be generally from four to six weeks; this gave them time to fit out Byron's fleet, and to warn Lord Howe, and it was most obvious that this could not but be the consequence of advising the fleet to be sent from Toulon, which was not only frustrating the enterprise, but leading our allies into a dangerous situation. Mr. Lee then proposed to add to the memorial these words, "We flatter ourselves that the great and manifest injuries, which will follow to Great Britain, and the advantages which must be derived to France, from the establishment of the independence of the United States, will make it appear that the assisting of them, with these essentially necessary means of effecting it, will be a measure of the soundest wisdom and policy, on the part of his most Christian majesty."

But the Dr. opposing it strongly, and desiring it might be postponed till we saw the effect of begging it as a fa-

your, it was not insisted on. Dr. Franklin desired to know whether Spain had made any farther remittances, as Mr. Lee objected to putting in the memorial, "that she gave us no assistance." Mr. Lee answered, "that there was reason to believe some had been made through the Havannah, but no certainty; and that a similar sum to the former had been remitted to him."

Dec. 20th. Mr. Lee dined with Count Vergennes, who desired Mr. L. to procure for him the pamphlet entitled "Anticipation," which he said the king desired much to read.

A lady of the court, upon the Duke de Chartres telling her that the Count d'Artois and he had *marked* the ladies down as they came to pay their court, under the titles "*Belles douces et affreuses*," answered, "*Mon. le Duc, vos entendez mieux des signialements, que des signaux*," the severity of which arose from the duke having been charged with not obeying Count d'Orvilliers' *signals* in the action off Ushant.

Jan. 8th, 1779. We visited the Marquis d'Ossun, who was now a minister, and lately ambassador at Madrid, and much in favour with the king of Spain. He told Mr. Lee that he believed Spain had been prevented from declaring by the hope of making peace, but that this winter would decide that court, and that he had no doubt, as we wished; that the Count Florida Blanca and Mons. de Galvis, Ministre pour les Indes, were able men, and the former would act either with perfect candour or cunning, as he was acted with. He promised Mr. Lee every instruction in his power, for his government at the Spanish court.

22d. Advices from Holland and England were filled with the eagerness of monied men to purchase in the stocks for the rencontre in May, upon the supposition that matters would be accommodated. Great discontent in France at their losses, charging them to the alliance with America. A person of rank told me at the Dutchess d'Anville's, where we dined, that he had reason to believe that Mons. Girard would not stay long in America. He

said the Duke de Grimaldi had lost all his influence, which made things go on so slow in Spain.

24th. A gentleman of rank called upon me, and told me that Mons. Girard was no longer minister in America; that Chevalier de Luzerne, formerly minister plenipotentiary at the court of Bavaria, was appointed to succeed him. He represented him as a man of abilities, and of good principles. He desired me to keep the information secret, as it was not yet known at Passy.

26th. Had a long conversation with the minister from Florence. He thought our connexion with France had ruined our cause, and that we should be obliged to make terms with England. I was of a different opinion.

He advised the representing the condition of the United States as desperate, unless France would exert herself, especially in furnishing money. He said England kept Vienna in awe, by threatening to give the king of Prussia a subsidy, if the court of Vienna declared in our favour.

31st. Dined at Count Sarsefeild's, with M. de la Luzerne, the minister nominated for congress; M. Marbois, secretary of the embassy; Mons. de Heredia, secretary of the Spanish embassy here; Mons. Descaranno, secretary to that at London, on his way to Rome; Mr. Izard; Com. Gillon, and Capt. Joiner.

Told Mons. de la Luzerne that the *sine qua non* in America was a large subsidy in money to support our funds, without which the war could not be maintained; that he could not do a better thing for himself and the public, than be the bearer of such a subsidy. Discouraging with Mons. Marbois, who had been much in Germany, he told me that Great Britain was considered the natural ally of Austria, and therefore the king of Prussia, it might be depended on, whatever might be his temporary engagements, would see with pleasure her power diminished by the independency of America.

Feb. 3d. Mr. Edward Jenings told me that Count Almedovar was exerting himself in London, to obtain an acknowledgment of our independence.

April 4th. Count Sarsefeild called on me, and told me

he had desired Mons. Descaranno to suggest to his court, the necessity of supporting us immediately with twenty millions. He told me, as did Mr. Jennings soon after, that it was said the court here was going to send a fleet of twenty sail to America. I observed, that it was talking of what they were to do so long beforehand, that frustrated all their plans, and that they would never succeed until they *talked less and did more*; that such a fleet ought *now* to be in America.

12th. The minister from Florence informed me that the treaty was not signed in Germany, but was sure. It was his opinion, that I could not penetrate into the designs of Spain better at Rome or Naples than here; that however, neither the French ambassador at Madrid, nor the court here, were in the secret; that a courier had just passed to London from Madrid, and one had arrived here, but what were their despatches was not known.

Soon after the Count Sarsefeild called on me to inform me that he had it from good authority that Spain would soon declare; and advised me to draw up a short statement in refutation of Mr. Deane's charges against me, that I might give it to Count d'Ossun, which would be of much weight with him.

16th. Visited Mons. Turgot, late minister, and famous for his abilities in finance. He was determining the freezing point of ice, to make a thermometer. He preferred Reaumur's to Fahrenheit's scale, and wondered that the English used the latter.

I told him that finances were what required most of our attention now; that we wanted a system of finance. He did not know what a system of finance was; that he had told me his opinion was that taxes should be laid on proprietors of land only, and that manufactures, consumption, and commerce ought to be free; that this was the only natural and wise way of imposing taxes. I replied that there was an apparent inequality in this method, which rendered it odious, though in truth the consumer must repay it at last to the proprietor. He said it was a mistake, that the consumer paid the tax, but why, he did not explain.

He was of opinion that all our constitutions of government were bad, because they were planned on that of England, which was calculated to guard against tyranny, of which we had nothing to fear; that the different members of the legislature were anti-democratic distinctions; that democracy required simplicity, and one single corps, in which government should reside.

Supped in the evening with Prince Pigneatelle and the Baron, who defended the Dardanelles against the Russian fleet. He said he could bring but one gun at a time to bear upon the Russian ships, which were commanded by Admiral Elphinstone, that upon firing some red hot balls they retired and would never make the attack again, though the walls were so thin and ill-constructed that nothing could have been more easy than to have battered them down. He said that both the Turks and Russians were contemptible beyond expression, that eighteen sail of the Turkish fleet got into a little bay to avoid eleven sail of Russian ships where they were burnt by two fire ships, sent in by the advice of some English volunteers on board the Russian fleet; that the Russian fleet in its turn cut their cables and made off from the siege of Lemnos, upon the landing of three thousand Turks, without a single piece of cannon. He said that the vizier having ordered six thousand troops to cross over in boats to relieve an island besieged by the Russians; he stated that a Russian ship would sink them all without any difficulty, to which the vizier replied, "no matter, it would be so many *rascals* lost."

23d. Returned Mons. de la Luzerne's visit. Found Mons. de Marbois, secretary to the embassy only at home. He desired me to give them such advice as I thought would be useful to them in America. I told him that a loan or subsidy was the most necessary thing, and therefore the most useful and acceptable they could do for us; that we could not carry on the war longer upon credit, as our funds were much depreciated; that their prudent method, as well as most dignified, would be, not to meddle at all with parties in America, but assist congress with good advice; and not embarrass

them with memoirs founded upon the factious reports of individuals, being a very unjust and offensive suspicion of the good faith of congress.

He answered that from his knowledge of the finances here he did not think any money could be obtained ; that they understood we were disarming, and yet the most vigorous efforts were required on our part to prevent the English from falling on us and overwhelming us ; that Mons. Luzerne, I might depend, would not concern himself in parties, nor engage in trade and jobs, as Mons. G. had done, with Mr. D. He told me that Mons. de Luzerne was endeavouring to get Spain to furnish money, for that France could not.

28th April. Visited Count d'Aussun. We conversed about Spain. He informed me that Spain had fifty ships of the line well armed, and their finances were in such a state that they could support a war for three years without borrowing. I observed that their fleet must be very expensive ; he said not near as much so as in France and England, for such regulations had been established as prevented the king from being cheated. He observed that there was no certainty that Spain would declare, but that the campaign must soon begin, and we should see. Conversing about Count d'Estaing, I observed it would have been much better had his fleet been sent from Brest, as it would have gained six weeks, and the English being unprepared, must all have fallen into our hands. Mons. de Sartine was against sending the fleet from Toulon, but he was overruled. I mentioned my surprise that the provision fleets from Cork were suffered to go without being intercepted, when it was so easy, their convoy being always weak, and which must have ruined the enemy in America if they had been captured ; that I had repeatedly given the minister information of it, and yet nothing was done. Mons. d'Aussun said, that I should make a memoir of it, and suggest a plan for intercepting them. I answered that every seaman knew the latitude for cruising between Cork and America. Count Sarsefeild was with us.

May 1st. Dined with Mons. Malesherbes, formerly mi-

ister, and uncle to Mons. de la Luzerne. The latter enquired about Mr. Adams, and said he would not go in the Alliance, but with him. A letter had been despatched to him for that purpose. He also intimated that the Alliance was not going to America.

Mons. de Malesherbes is a man of extensive reading and information. He assured us that there was such a jealousy in the canton of Berne, that when a man became very rich it was common to persecute him, on some pretence, and condemn him to pay such a fine as would sufficiently reduce his fortune ; that they had passed an act against entailing lands, or rather bequeathing them to the poorest of the name. They were jealous that such a provision against want in a family would encourage matrimony, and propagation in it, so as to render it too numerous and powerful.

May 3d. Gen. Beckwith, from England, called upon me. This was the gentleman who served during the last war in Germany with such reputation, and was so high in favour with Prince Ferdinand, and at the end of the war was recommended by him to the king of Prussia, who gave him the rank of general, and made him governor of Embden. He had been in treaty with me in 1776 to serve in America, but he would not go unless I would accompany him, and unless he were to have rank above Gen. Lee. He told me the troops of Mirbeck, consisting of 5000, were engaged to go to America. He assured me he knew that Prince Ferdinand offered to take the command, but that Lord ——'s ancient enmity prevented him. He said he called to see our minister, Dr. Franklin, but he was not at home ; that he should go again to-morrow ; that he had a message for him from Mr. Strahan, the king's printer in London ; and had directed Mr. Hope, at Amsterdam, to direct his letters to Dr. Franklin.*

7th. Gen. Beckwith called on me again. He told me that Gen. Gray's manner of surprising Gen. Wayne, was by a manoeuvre practised in Germany, the making the men uncharge, so that they could not fire to give any

* Dr. Franklin was at this time our minister plenipotentiary in France.

alarm, but attack with bayonets. He said Gen. Gray told him this had been much practised since by the king's troops. Gen. Gray spoke highly of Gen. Washington, but thought he was nervous by constitution. He said that the Americans were not disciplined, nor the British. I asked Gen. Beckwith whether he thought there were more than ten thousand effective men in Great Britain; he said, hardly so many, for there were only seventeen battalions, including seven foot-guards. He said Gen. Clinton had repeatedly desired to be recalled; that a commission was gone out for Vaughan to be the second in command; that though Clinton and he were good soldiers, they were not capable of command. Lord Shelburne, he said, would come into the ministry if things went ill, and would push the war in America, and would employ Prince Ferdinand. He spoke highly of Lord S.'s abilities, as the only man in England that would make peace.

He then desired to speak to me in private. He informed me he had opened himself to the French ambassador at the Hague, and informed him of his wish to enter the French service, and serve in America. He said he had got a letter from him to Count Vergennes, which he had delivered; that the count told him he must consult Prince Montbarey; that he then informed Dr. Franklin of his desire to serve in America, who assured him he would immediately acquaint congress. The general asked me if I thought this was a genteel put off, or whether the Dr. had indeed no power to appoint him. For though in settled governments such powers were only in the sovereign, yet in our situation he imagined that such a power might be in Dr. Franklin. I told him I had not seen Dr. F.'s powers, but that whatever special power he might have on that head, I was satisfied he could not have a general one. He said he could not wait six months in doubt. He asked if our generals received their orders from Gen. Washington, or from congress. I told him I believed from the latter, through the former.

10th. Visited Mons. de Malesherbes, and talked with

him of their *lettre de cachet*. He said it was liable to abuse, and was often abused, but that it was necessary to supply the defects of the law, and for the great against their inferiors; *e. g.* if my servant is impudent, or offers to strike me, instead of prosecuting him at law, I have him imprisoned by a *lettre de cachet*. He said when he was minister he wanted to regulate their application, but could not succeed. I asked whether the officer, when he went to seize a man by virtue of a *lettre de cachet*, was obliged, on demand, to show the *lettre*? He said no, and that made them subject to so much abuse, especially in the provinces."

(c) Supplies for the State of Virginia.

"VERSAILLES, June 5th, 1778.

You will see sir, by the enclosed letter from the Prince de Montbarey, and by the statement annexed, that I have used the utmost activity in executing the commission you recommended to me. If the plan which this minister proposes should be agreeable to you it would be proper for you to converse with him, to settle the terms. I will procure you an opportunity of doing it whenever you please.

I shall always be extremely flattered when you furnish me particularly, opportunities of showing my readiness to serve the United States, and to you sir, the perfect esteem, with which I have the honour, &c. &c.*

(Signed) DE VERGENNES.

To Mr. Lee."

"VERSAILLES, 13th June 1778.

In consequence sir, of what you requested of the Count de Vergennes and of me, I have given the necessary orders that the artillery you desire should be collected at Nantes according to your wishes, and conformable to the annexed statement, which I have the honour of

* The above and following letters are copied from translations by Mr. A. Lee from the originals.

sending you. It will require a month at least to collect the whole at Nantes. I shall transmit you hereafter an account of the price of these articles ; and as to the payment, the king authorizes me to rely on your punctuality in paying when circumstances will admit.

I am happy sir, that this occasion furnishes me an opportunity of assuring you of the pleasure I have in transacting business with you, and of proving to you the regard and high consideration, with which I have the honour to be sir, &c. &c.

(Signed) The Prince MONTBAREY."

" PARIS, May 7th, 1778.

To his excellency Governor Henry, of the state of Virginia.

Sir,—My brother being absent on a negotiation for congress, at the court of Vienna, when Mr. Lemaire arrived here, I have endeavoured to accomplish the purpose for which he was sent. Mr. Page will show you the answer from the Farmers General, and the enclosed will inform you that I have been more successful with the minister here, in obtaining the artillery, &c. which is the most difficult and material article. Your excellency will see how I am pledged on the part of the state, and therefore will I hope use all possible means of sending tobacco, so as to enable me to perform my promise of replacing them punctually and speedily. The attainment of future favours will greatly depend on this, as well as the establishing such a character as must always be of use to us. I had, to make sure of your having this essential article of artillery, agreed with a merchant of Cadiz, to send you the same quantity directly from Sweden, on condition that it should be paid in tobacco, at the current price with you, on delivery, the prime cost, with commission, freight, insurance, and other necessary expenses. I shall not countermand this order, because it will make you surer of having what the state wants ; and should both sets arrive the surplus will serve for your marine, or be saleable. I have furnished Capt. Lemaire with money out of my own pocket to pay his and the pilot's

expenses, and sent him to Strasburg Sollenge, to engage the sabres, &c. for the light horse. The pilot is boarded in the country, it being dangerous to leave him at a seaport or in Paris. I am so persuaded of the superior excellence of the Prussian muskets that I shall do every thing in my power to furnish you with ten thousand of them. The king of Prussia was so gracious as to give orders for my being supplied with as many as I should require out of his own arsenals, at the price he paid, of which he ordered an account to be sent me. But I am afraid the present preparations for war in Germany will either prevent my having them, or augment the price. The exhausted state of Great Britain has rendered her unable to carry menaces into execution against France, for concluding a treaty with us. Before this reaches you a French fleet under Count d'Estaing, their best admiral, will have arrived to your assistance. The enemy therefore is likely to be blocked up in their turn, for the fleet they had prepared under admiral Byron to reinforce Lord Howe is stopped, and it is generally thought will not sail. This arises from apprehensions for their safety at home. If they do not support their naval superiority with you, I think we shall soon have the pleasure of seeing them driven entirely out of America. A continuation of that spirit and vigour with which your affairs have hitherto been conducted must soon accomplish our utmost wishes, and secure us in peace, liberty and safety.

I have the honour to be with the greatest regard and respect your excellency's most obedient and most humble servant,

ARTHUR LEE."

"PARIS, June 15th, 1778.

To his excellency Governor Henry, of Virginia.

Your excellency's letter to my brother, W. Lee, of the 10th of April, with his commission under the great seal arrived here safe yesterday. I have forwarded their contents to him at Vienna. The enclosed letters will show the endeavours I have used to promote and accomplish the most difficult part of Capt. Lemaire's mission. Your excellency will have the goodness to enable me as soon

as possible to discharge the engagement I am under on the part of the state, to pay for the things furnished. I should wish the tobacco for that purpose to be consigned to my brother, because I cannot so well depend upon another. By his direction I have put the other articles of Capt. Lemaire's list into the hands of Messrs. Penet & Co. who have agreed to transmit them as speedily as possible, upon the terms settled by Mr. King. I hope what I have done will be agreeable to you; and that it will speedily supply the wants of our country. As our enemies appear unable to reinforce their navy employed against you, and Count d'Estaing's fleet is stronger, it is to be hoped your coast will soon be cleared, by their ships being entirely driven away. They are equally unable to avenge themselves on our ally here, and will probably soon be forced to call home all their forces for their own defence. The diminution of their commerce, the distress of their people, the imbecility and wickedness of their counsels, and the rapacity of their officers, announce the inevitable downfall of their domination, and the ruin of their affairs.

I have the honour of being, with every sentiment of respect and esteem, your excellency's most obedient and most humble servant,

ARTHUR LEE."

"PARIS, July 16th, 1778.

To his excellency Governor Henry, of Virginia. The same to Governor Johnson, of Maryland.

Sir,—His excellency the minister of marine to his most Christian majesty having signified to the commissioners here that he was apprehensive the French settlements at Miguelon and St. Pierre would suffer much for want of provisions, unless they were supplied by the people of the United States, your excellency will oblige our new allies by directing notice to be given to the inhabitants of your state that they will find a good market at those places.

I have the honour to be with the greatest esteem your excellency's most obedient and most humble servant,

ARTHUR LEE."

"PARIS, July 29th, 1778.

His excellency Governor Henry,

Dear Sir,—It was with the greatest pleasure I learnt from Capt. Le Maire's mission that you had at length awakened our state to the necessity of putting herself into a respectable posture by being well provided with warlike stores. I have done all in my power to promote a purpose on which her future prosperity and even safety so much depend. Though it is not possible to do things in this country with the expedition one would wish, yet I hope we shall procure in a short time the chief part of the supplies demanded. I expect my brother William here soon, who will put things into a better train than my want of knowledge and other avocations will permit.

Not having been able to raise any money upon credit for the state, which in this country and at this time is extremely difficult, I have engaged to advance as far as forty or fifty thousand livres, for those things which indispensably require it. I have endeavoured to make such an agreement with Penet & Co. as will leave you at liberty to make payment for what they furnish in the manner most convenient for the state.

I have the honour to be, &c.

ARTHUR LEE."

"CHAILLOT, June 3d, 1778.

His excellency Count de Vergennes.

I have the honour of enclosing to your excellency a list of brass cannon, mortars, &c. of which the state of Virginia is in the most pressing and immediate want for its defence. If they can be furnished out of the royal arsenals, to be replaced at the expense of that state, it will be doing it a most essential service, and a favour for which they will be forever grateful.

As the safest opportunities of sending them will occur in about three weeks, your excellency will pardon me for pressing for these articles to be sent by this conveyance.

Nothing but the most urgent necessity would induce me to give your excellency this extraordinary trouble,

or to trespass so much upon that goodness, of which we have already received such substantial proofs.

I have the honour to be, with the greatest respect and esteem, your excellency's most obedient and most humble servant,
ARTHUR LEE."

"CHAILLOT, Aug. 4th, 1778.

Messrs. Penet & Co.

Gentlemen,—The bearer of this is Capt. Le Maire, who by our agreement is to inspect the articles you ship for the state of Virginia. You will therefore be so good as to give him all necessary facilities for examining and approving the supplies you are to furnish.

I have the honour to be gentlemen, your most obedient servant,
ARTHUR LEE."

Aug. 21, 1778.

"Mr. Lawrence and Mr. Robert Brooke, the gentlemen who will deliver you this, are of a respectable family in the state of Virginia. I shall be obliged to you for any civilities you show them; and if they apply to you for any money for their expenses, you may with safety advance it to them.

I have the honour to be gentlemen, &c.

ARTHUR LEE.

*A Messrs. Penet & Decoster,
Négociants à Nantes.*

P. S. I expect some brass artillery will be delivered to you to be shipped for the state of Virginia, which I beg you will do on freight as cheap and as well as possible, and if practicable ensure it."

"PARIS, Sept. 3d, 1778.

The Hon'ble John Page, Virginia.

Dear Sir,—I had the honour of writing to you on the 24th August, since which nothing new has happened in Europe. You will see by the enclosed account what money I have advanced for the state, which was absolutely necessary to complete the furnishing of what was wanting; besides this I have pledged myself to the government

here, that the brass artillery, &c. which I prevailed upon them to furnish, should be punctually paid for. I therefore beg the favour of you to take care that remittances should be speedily made for this purpose, that I may not be left in a disagreeable situation, having exerted and pledged myself for the service of the state. There is a society established here upon the plan of the Society of Arts in London; a correspondence between your society and them might be mutually beneficial, and if you approve of it I will endeavour to establish it; it is called the Society of Emulation; and as I have also had the honour of being chosen a corresponding member of it, I could easily connect the two together.

The universal disorder of the times makes it very difficult to transact business. It is therefore that I have not received an answer relative to the great seal, nor the bills of lading of the paper desired by the treasury, and which I have reason to believe has been shipped from Holland for St. Eustatia.

With great esteem I have the honour to be, &c.

ARTHUR LEE."

"VERSAILLES, Dec. 31st, 1778.

I received sir the letter you did me the honour to write me the 15th of this month, relative to the refusal of the director of the arsenal at Nantes to deliver, without an order from me, to the agent for Virginia, an essential part of the coast carriage, which I directed to be added to the rest of the artillery delivered at that place for that state. I have ordered that director, agreeably to your desire, to deliver the lock belonging to the carriage, with its other appendages. You may communicate this to your agent at Nantes.

I am, &c. &c.

Signed,

M. Arthur Lee."

The Prince MONTBAREY.

"VERSAILLES, March 27, 1779

I have communicated sir, to the Prince de Montbarey, the letter which you did me the honour to write me the

22d of this month. This minister has just made me the answer which I subjoin. You will perceive from that, that the king wills that the warlike stores furnished to the state of Virginia, should follow their first destination.

I have the honour, &c.

Signed,

DE VERGENNES.

M. Lee."

Translation of M. de Vergennes's letter to Mr. Lee.

"VERSAILLES, Feb. 16, 1779.

I have the honour of transmitting to you sir, a copy of Prince Montbarey's letter, and the note that accompanied it. You will there see, that the state of Virginia owes to the artillery chest £256,633 7s. 10d. for the payment of the effects furnished. I doubt not that you will take the speediest measures for the immediate payment of this sum.

I have the honour, &c.

Signed,

DE VERGENNES.

M. Arthur Lee."

(Translation.)

"I annex an account of the sum of £256,633 7s. 10d., which the state of Virginia owes to the artillery chest for the supplies furnished them. I shall be obliged to you to concert with the deputies of the United States for the payment of that sum into the hands of M. Chastil, formerly treasurer general of the artillery, &c. to discharge the accounts of last year.

I have the honour, &c.

MONTBAREY.

Count Vergennes."

(Translation.)

"VERSAILLES, March 20th, 1779.

I have communicated to the Prince Montbarey the letter in which you informed me of the impossibility of the state of Virginia paying at present for the artillery which his majesty has furnished them. I subjoin a copy of that

minister's answer, by which you will see what he proposes to do.

I have the honour, &c.

Signed, DE VERGENNES.

M. Arthur Lee."

(Translation of Prince Montbarey's letter.)

"I have informed the king of the letter sir, which you did me the honour to write me the 21st of last month, of the impossibility, as represented by Mr. Lee, that Virginia should pay the king the sum of £256,633 7s. 10d. for the artillery that was furnished from his majesty's arsenal. It was not intended to urge this payment, but as the passage of these effects was very doubtful in the then circumstances, his majesty reserves to himself the furnishing them when their passage can be more sure; you will therefore be so good as to apprise Mr. Lee that I give orders for their being restored to the king's magazine at Nantes.

I have the honour, &c.
Count de Vergennes."

MONTBAREY.

"PARIS, March 22d, 1779.

To his excellency Count Vergennes.

I had yesterday the honour of receiving your excellency's letter of the 20th, enclosing one from the Prince Montbarey, to inform me of his intention to give orders for the re-entry of the artillery and munitions of war, which his majesty had the goodness to furnish to the pressing wants of the state of Virginia; and which have been shipped at a great expense to the state, as well as to his majesty. Events have happened since I had the honour of writing to your excellency upon this subject, on the 16th of Feb., which compel me to beseech you to use your utmost influence in preventing this resolution from being carried into execution; as I apprehend nothing can be in the actual state of things more detrimental and even fatal to the state of Virginia, and consequently to the common cause. I mentioned to your excellency

that immediately upon your assurance that these things would be furnished by his majesty, I wrote to inform the state of it ; and I have written so repeatedly since that there is a moral certainty of the information having reached them. This, we may reasonably suppose, will have prevented them from providing from other quarters these necessary articles of defence. We are now certain of the enemy's having transferred the war to the southern states, and my intelligence from England is such that I can assure your excellency they mean to push the war there, and to invade the state of Virginia as soon as they can send out the reinforcements of troops, which are now preparing with great diligence. In this situation his majesty's goodness in having so readily furnished the artillery and munitions required, will, if they should be actually stopped, prove, in all probability, the destruction of the state, by leaving it defenceless to the enemy's invasion. With regard to the risk this furniture runs in going at present, which is stated as the reason for recalling it, I have the pleasure of informing your excellency that I yesterday received a letter from Nantes, advising me that the convoy was arrived, and only waited for a fair wind to sail with all the American vessels at Painbeuf. The vessel, too, in which these munitions are shipped, is well armed ; and the state will be obliged to pay, as I am informed upon enquiry, in freight and expenses upwards of forty thousand livres for nothing, if the articles are stopped.

These reasons will I hope convince your excellency that my apprehensions of the injurious consequences of recalling what was furnished, are well founded ; and will weigh with you to obtain the stoppage or revocation of the order for their detention. There has lately appeared in the London papers an intercepted letter from a tory gentleman in Virginia, and I have information that the British ministry are in possession of several more of the same kind, encouraging an attack upon that state. I have no doubt that this will confirm and quicken the designs of the enemy, and therefore have additional reason for conjuring your excellency to obtain permission for the departure of the munitions in question.

I must beg the favour of being apprised as soon as possible of his majesty's ultimate determination.

I have the honour to be, &c.

Signed, A. LEE."

" VERSAILLES, May 21st, 1779.

To Mr. Lee.

I have communicated sir, to Prince Montbarey the letter you did me the honour to write me the 22nd of this month. This minister has just made me an answer, of which I subjoin a copy. You will there see that the king thinks proper that the supplies furnished to the state of Virginia should follow their first destination.

I have the honour, &c.

Signed; DE VERGENNES."

Translation of the copy of a letter from the Prince Montbarey, to the Count de Vergennes.

" VERSAILLES, May 26th, 1779.

I received sir, your letter of yesterday. Upon the representation of Mr. Lee, I inform the director of artillery at Nantes that his majesty consents to let the supplies which were furnished to the state of Virginia, pursue their first destination. You will be so good as to inform that late deputy of this.

I have the honour, &c.

MONTBAREY."

(Translation.)

" PARIS, April 15th, 1779.

M. Arthur Lee.

I received sir, the two letters you did me the honour to write me the 16th and 30th of last month. You therein remind me of the order I formerly gave to exempt from duties a quantity of sabres, shovels, spades, and axes sent from Strasburg to Nantes, to go to Virginia, and you claim the execution of it. You desire at the same time a discharge of the security which the directors of the farmers at Nantes, have insisted upon for considerable duties which they will have paid on the ex-

portation of different cannon, mortars, bombs, ball, and other like munitions of war, which the king has been pleased to furnish to the state of Virginia. I subjoin orders for the restitution of the sum paid on the arms and other utensils sent from Strasburg to Nantes. As to the other articles, I had the honour of informing you on the 24th of last August, that the exemption was a favour which could not be repeated. You have seen that this was founded on principle, and that the king himself submits to pay the duties destined for his service. I regret exceedingly that these reasons prevent me from annulling the security in question.

I have the honour &c. Signed, NECKER."

"PARIS, April 15th, 1779.

A. M. M. Necker, Contrôleur General des Finances.

Sir,—I had the honour of receiving your letter of this day's date, containing an order for repaying the duties collected upon the sabres, &c. sent from Strasburg to Nantes, and informing me that the engagement for paying the duties demandable upon the export of the artillery and munitions of war, granted by his majesty for the state of Virginia, cannot be given up. I beg sir, you will believe, that it is with infinite regret I trouble you again upon the subject. But it is an act of inevitable necessity. I have not money to pay the duties engaged for, nor in the present situation of things is it possible for me to say when any funds will arrive to answer the demand. The difficulties of finding sailors for merchant ships in Virginia are very great; and hitherto where these have been overcome, the tobacco has unfortunately fallen into the enemy's hands. It is far from being the disposition of any of the United States, to distress their friends, or press for favours. But in our actual situation, we must either deliver ourselves up unarmed to be massacred by our merciless enemies, or obtain the necessary means of defence by indulgences, which the singular situation of our affairs alone induces us to ask. The engagement entered into by my merchant was unknown to me, till the articles were shipped, and the vessel ready to sail. He

did it in full confidence that I should obtain a remission of the duties. Indeed there was no alternative but obtaining this remission, or stopping the supplies and undoing all that had been done. I did understand from the letter I had the honour of receiving from you on the 24th of August last, that the exemption then granted on the sabres was not to be drawn into a claim of such exemption in future. But that it should operate to preclude all the other articles of the same supply, for the same purpose, and where exactly the same necessity for asking an exemption existed, did not then strike me. Nor did I then know that there were any duties demandable on the export of brass cannon, &c., especially coming from the royal arsenals.

Under these circumstances sir, I am obliged to beg you will have the goodness to revise the resolution you have done me the honour to send me. I am extremely sorry to add this troublesome request to the thanks which are due for what you have already granted; nor can any thing be more mortifying than the necessity which compels it.

I have the honour, &c.

Signed,

ARTHUR LEE."

(Translation.)

"PARIS, April 26th, 1779.

I have received sir, the letter you did me the honour of writing me the 15th of this month, relative to the artillery, bombs and balls which the king has been so good as to furnish to the state of Virginia, and which have been shipped at Nantes. After the explanation you have made, I gave orders to the Farmers General to annul the security given by Mr. Schweighauser. But I beg you will be so good as to observe, that a similar favour cannot be granted consistent with the laws.

I have the honour to be, &c.

Signed,

NECKER.

Mr. Arthur Lee."

"PARIS, May 2d, 1779.

To the Hon'ble B. Franklin, M. P.

By letters this day from Nantes, I am informed that the Alliance frigate is manned, and ready to sail; adverse winds still detain the American fleet at Brest, with its convoy. As that convoy is destined to the French islands, it will of course leave those vessels which are intended for the United States before they reach the coast. Yet there it is, that as well from the enemy's cruisers as from the multitude of privateers lately fitted out, they will run the greatest risk. Not only the public at large is highly interested in the safe arrival of this fleet, but the state of Virginia depends upon it for supplies essentially necessary for her defence and preservation. The difficulty with which these have been obtained, and the impossibility of replacing them if lost, make it of the last importance to use every possible means for their protection.

For these reasons I presume to submit to your consideration, whether the Alliance can render a more useful and acceptable service to our country, than by immediately joining that fleet at Brest, and convoying it quite to our ports.

I have the honour to be, &c.

Signed,

ARTHUR LEE."

"PASSY, May 3d, 1779.

Hon'ble A. Lee, Esq.

Sir,—I did write to the gentlemen at Nantes concerned in fitting out the vessels for America, offering them the Alliance as a convoy, and ordered her to Nantes accordingly; they did not choose to accept that offer, knowing as I suppose her weakness, but sailed for Brest to go with the French convoy without waiting her arrival, and would probably have been gone long before she could have been fitted for sea, if contrary winds had not prevented. I wish your information were true, that she is manned, and fit for such service; it must be from some person who is unacquainted with the facts, perhaps Mr.

Ford: I must suppose the merchants are satisfied with the convoy they have put their ships under, as I do not learn that they have applied for one more suitable. I would readily have solicited such an application, if I had understood it to be necessary, being equally desirous with you of their arriving safe, and sensible of the importance of it. But I have not received a line from any of them to any such purpose; and Capt. Landais has assured me, that my supposition of his having men enough to fight his ship on occasion, in going home, though not enough to man prizes on a cruise, was a great mistake in my informer; he then wanted 150 men, and I have not since heard of her having recruited more than 40, with the exchanged Americans from England. Mr. Ford may probably be accommodated in the same frigate that will take Mr. Adams.

I have the honour to be, &c.

Signed,

B. FRANKLIN.

P. S. I am glad to hear from you, that the supplies necessary for Virginia are shipped."

" MAY 6th, 1779.

The Hon'ble B. Franklin,

Sir,—I had not the honour of receiving your answer till to-day, though it is dated the 3d. It came by the penny-post. It was by Mr. Adams's information when on board, that I understood the Alliance had then (April 29th) a good crew, and I cannot express my concern on hearing from you that it is otherwise. The persons and properties of so many of our countrymen, the valuable merchandize, and the essential stores for the United States and for that of Virginia, which are on board this fleet at Brest, are of such infinite importance to our country, that I cannot help trembling for their fate, since I have lately learnt that M.^r la Morte Piquet will positively protect them no farther than in his way to the West Indies, and that our coast swarms with privateers fitted out from New-York, Rhode Island, and Augustine. The supplies for the state of Virginia were those obtained some time ago from the crown, consisting of brass cannon, mortars,

bombs, and ball. The articles which my brother solicited your assistance in procuring, are a second order, and as necessary for the defence of the state as the first; which first only I have fulfilled, except in those articles which the house of Penet engaged for, but did not send. The gentlemen going to and shipping goods for America, I know lamented that their repeated requests through the commissioners to the ministry for a convoy quite to America, were unsuccessful; they had waited several weeks, and at a great expense, in expectation of it, when the commissioners sent them a copy of M. de Sartine's final answer to their reiterated applications, containing these words—" *si ceux qui sont actuellement a Nantes ayant destination, pour les Etats Unies, descendent promptement la Riviere ils seront escortés jusqu'au de la des caps and plus loin encore, c'est a dire, pendant tout le tems qu'ils voudront suivre la route de convoy des Batimens François destinés pour les Isles de l'Amerique.*" It was a great mortification to them that the Alliance was not manned, nor any certainty when she would be so, which obliged them to put themselves under the French West India convoy, as the best and only one that then offered.

I presume then it was not their being satisfied with a convoy half the way, that prevented their applying to you, since your late appointment, to obtain for them a more sufficient one, but their knowing that application had already been made by you and the other commissioners without success. It is also probable that their being under sailing orders in Brest Road, deprived them of knowing the state the Alliance was in at Nantes; but it is most sure, that they would have been extremely happy to have seen her return to Brest as their convoy. They had every reason to expect that this would be the case if she got men at Nantes, because you had directed them to be informed that you had given orders for her to convoy them, which it was understood the want of men only prevented. I cannot therefore doubt that the wishes of all the American gentlemen, that the Alliance should convoy them, coincide with mine, though circumstances have prevented them from being expressed.

It was from a persuasion of this, and from an anxiety for their safety, as well as for that of the important supplies that go with them, that I ventured to submit to you my opinion of the utility of ordering the Alliance immediately to Brest, which I still most earnestly wish may if possible be done. Most of these gentlemen have already experienced the miseries of being made prisoners, to which there is too much reason to apprehend they will return, if they are left upon our coast without convoy. It is a long time too since congress has heard from their servants in Europe. Mr. Izard and myself have written to our constituents, in expectation of our despatches going in safety by the Alliance, or under her convoy, upon matters in which the public honour, interest, and safety, are deeply concerned. I am sorry to have troubled you with so long a letter, but out of the fullness of the heart the tongue speaketh; and I am filled with the most anxious concern for the fate of the fleet, if it is to be left unprotected in any part of the voyage.

I have the honour to be, &c.

Signed,

ARTHUR LEE."

"N. B. Mr. A. Lee having waited some time without receiving an answer to the above letter, on the 15th of May I waited on Dr. Franklin to know whether or not he had received it. His answer was, that he had, but that as the ships were then sailed, he did not think it necessary to make any answer.

Signed,

LUDWELL LEE."

"*Observation.*—The ships sailed from Isle Dey, near Brest, the 10th of May; the post is four full days from Brest to Paris; then the date of my letter was eight days before the receipt of that intelligence, which it is pretended made an answer unnecessary. The fact is, that the Alliance was ordered immediately to L'Orient, to join the private cruisers fitted out by Mr. Chaumont. With regard to her not being manned, the Hon. Mr. Adams, who wrote that she was, had been on board of her for some weeks, had sailed in her from Brest to Nantes, and spoke from what he saw; nor is it easy to conceive,

that if she was manned sufficiently to go upon a cruise, she was unfit to go as a convoy, which requires fewer men; since in the latter case she was to fight only; in the former, to fight and man her prizes. A. L."

(d) Memoire to the French Court.

"When a conduct of premeditated perjury, shameless perfidy, and unexampled cruelty, on the part of Great Britain during the present war, had so much exasperated the minds of the people of the United States that it was apprehended they would proceed to retaliation, which if once commenced in anger might be carried to extremities the most horrible, the congress issued an address, exhorting forbearance, and a farther trial, by examples of lenity and generosity, to recall their enemies to the practice of humanity amid the calamities of war. In consequence of this, neither the congress of the United States, nor any of the states apart, have ever exercised, or authorised the exercise of the right of retaliation. Their enemies however continued their barbarities, till the issue of war, turning against them, put one of their armies, and a multitude of other prisoners, into the power of the states. From that time till lately, their conduct towards those citizens of the United States whom they had made prisoners, was less stained with atrocious insolence and inhumanity. But since they have found that all the efforts and arts of their commissioners could neither intimidate nor seduce the congress, nor the people of the United States, they have become outrageous, and in that spirit have published a proclamation which contains the following brutal menaces, and which they have already begun to execute, by desolation and murders, wherever they can approach. It is therefore manifestly the enemy's policy, to disgust the people of America with their alliance with France, by convincing them, that instead of shielding them from future miseries, it has accumulated additional calamities upon their country. To stop the progress of these cruelties, and disappoint their purpose,

the commissioners submit to your excellency's consideration two measures, which in their opinion are most likely to answer these ends.

1st. That the court of France should announce to that of Great Britain that unless this declaration of its commissioners is formally renounced, and the cruel method of carrying on the war effectually stopped, this court will join with the United States, in the severest retaliation.

2nd. That a powerful fleet of thirty or forty sail should be immediately sent to the coast of America, to support this declaration, and secure a naval superiority over the enemy in those seas. The commissioners suggest this measure as appearing to them to be the most sure and effectual means of distressing the enemy, and destroying her commerce, humbling her pride, and reducing her to the necessity of suing for peace. Upon this naval superiority in those seas must depend the valuable commerce of their islands and the islands themselves. The difficulties of provisioning a fleet at such a distance, or of repairing it, in case of any accident, augment with the number to such a degree, that it seems impossible for the enemy to support thirty or forty sail of the line in that quarter, and therefore, though they are able to meet and even out-number Count d'Estaing's fleet, yet against the proposed augmentation it is conceived they could not contend. The commissioners hope the speedy assistance and reparation received by Count d'Estaing's fleet will show the advantages which this country must enjoy in carrying on the naval war on a coast friendly to her, and hostile to her enemy. And these advantages they trust will in future be much more sensible, because the appearance of the fleet this time was sudden and unexpected, and the last season in that particular part of the country was the most unfavourable that has been known for many years."

